



City of Dallas
Landmark Commission
Monday, February 4, 2008
AGENDA

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CITY SECRETARY
DALLAS, TEXAS

BRIEFING	Dallas, City Hall, 1500 Marilla Street, Room 5/E/S	11:00 A.M.
LUNCH		
PUBLIC HEARING	Dallas City Hall, 1500 Marilla Street, Council Chambers - 6th floor	1:00 P.M.

* The Landmark Commission may be briefed on any item on the agenda if it becomes necessary.

Theresa O'Donnell, Director
Michael Pumphrey, Manager
Jim Anderson, Senior Planner
Tracey Cox, Planner
Mark Doty, Senior Planner
Marcus Watson, Senior Planner

BRIEFING ITEM:

1. Routine Maintenance
2. Certificate of Appropriateness
3. Certificates of Demolition and Removal
4. Certificates of Eligibility
5. Initiations
6. Update on the Landmark Commission Rules of Procedure.
7. Training - City Attorney's Office
 - Constitutional issues, including equal protection.
 - Standard of review for noncontributing structures.
 - Making a good record.
 - Rules of Procedure: State Law requirements, City Code requirements, Landmark Commission Rules.
 - Roberts Rules of Order.
 - State Laws related to ethics, City Charter and City Code related to ethics.
 - Open Meetings Act related to Landmark Commission and its task forces, frequently asked questions.
 - Bribery of Government Officials.
 - City indemnification of city officials, Chapter 176 of the Local Government Code - Conflict of Interest Questionnaire and Local government Officer Conflicts Disclosure Statement; Casey Burgess, Assistant City Attorney.

CLOSED EXECUTIVE SESSION:

1. City of Dallas v. Patricia Tompkins, Cause No. 06-10916-B
- City of Dallas and Texas Historical Commission v. TCI West End, Inc. and Weir Industries, Inc., Cause No. 06-04868-H

CONSENT ITEM:

1. 5817 La Vista Court
Edison / La Vista
CE078-010(TC)
Tracey Cox

Request: A Certificate of Eligibility (CE) for a tax exemption on the added value of the land and improvements for a period of ten years.
Applicant: Sergio Cadenas
Representative: N/A
Date Filed: December 27, 2007
Staff Recommendation: Approval of the Certificate of Eligibility.
Task Force Recommendation:

2. 5727 Worth St
Junius Heights
CE078-012(TC)
Tracey Cox

Request: A Certificate of Eligibility (CE) for a tax exemption on 100 percent of land and improvements for a period of ten years.
Applicant: Carlos Gomez and Victoria Romero-Gomez
Representative: N/A
Date Filed: January 3, 2008
Staff Recommendation: Approval of the Certificate of Eligibility.
Task Force Recommendation:

3. 1030 E 9th St
Tenth Street
CE078-011(TC)
Tracey Cox

Request: A Certificate of Eligibility (CE) for a tax exemption on 100 percent of land and improvements for a period of ten years and approval of \$11,330 in expenditures spent on rehabilitation within the three years prior to the CE approval.
Applicant: Jeff Curtis
Representative: N/A
Date Filed: December 31, 2007
Staff Recommendation: Approval of the Certificate of Eligibility and approval of \$11,330 in expenditures spent on rehabilitation prior to the issuance of the Certificate of Eligibility.
Task Force Recommendation:

4. 500 N. Winnetka
Winnetka Heights
CE078-007(TC)
Tracey Cox

Request: Approval of an additional \$14,807 in expenditures spent on rehabilitation in the three years prior to the CE approval (CE was approved January 7, 2008).
Applicant: Edwin Cabaniss
Representative: N/A
Date Filed: December 4, 2007
Staff Recommendation: Approval of \$14,807 in expenditures spent on rehabilitation prior to the issuance of the Certificate of Eligibility.
Task Force Recommendation:

CONSENT ITEM:

5. 101 N. Clinton
Winnetka Heights
CE078-013(TC)
Tracey Cox

Request: A Certificate of Eligibility (CE) for a tax exemption on 100 percent of land and improvements for a period of ten years and approval of \$49,428 in expenditures spent on rehabilitation within the three years prior to the CE approval.

Applicant: Kerry Day and Edwin Machon

Representative: N/A

Date Filed: January 15, 2008

Staff Recommendation: Approval of the Certificate of Eligibility and approval of \$49,428 in expenditures spent on rehabilitation prior to the issuance of the Certificate of Eligibility.

Task Force Recommendation:

6. 3500 S FITZHUGH AVE
Fair Park
CA078-201(MD)
Mark Doty

Request: 1) Grand and MLK Entrance gate improvements.
2) Museum of Nature and Science parking lot improvements.

Applicant: Quimby/McCoy Preservation Architecture LLP

Representative: N/A

Date Filed: January 3, 2008

Staff Recommendation: 1) Grand and MLK Entrance gate improvements. - Approve with Conditions - Approve drawings submitted dated 1/17/2008 with the conditions that final signage, color scheme, and landscaping plans be resubmitted for Landmark Commission approval and with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
2) Museum of Nature and Science parking lot improvements. - Approve - Approve drawings submitted with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendation: 1) Grand and MLK Entrance gate improvements. - Approve with Conditions - Fixed fencing between gates to have horizontal top.
Lettering at guard house to be horizontal, near top.
New solid element at right side to match size of electrical building at left.
Pedestrian gates to be cantilever type.
These items to be brought back to Task Force at a future meeting; signage, colors, landscape modifications.
McCoy abstained from voting.
2) Museum of Nature and Science parking lot improvements. - Approve - McCoy abstained from voting.

CONSENT ITEM:

7. 2807 HARRY HINES
BLVD
Pike Park
CA078-199(MD)
Mark Doty

Request: 1) Pike Park - New pavestone plaza and other improvements.

Applicant: CITY OF DALLAS PARKS

Representative: N/A

Date Filed: January 2, 2008

Staff Recommendation: 1) Pike Park - New pavestone plaza and other improvements. - Approve - Approve drawings as submitted with the finding of fact proposed work is consistent with the criteria for Building site and landscaping in the preservation criteria Section 3.1, 3.3 and 3.6, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendation: 1) Pike Park - New pavestone plaza and other improvements. - Approve with Conditions - Approve as submitted with the condition that the placement and species of new trees be reviewed to ensure that views of protected facades are not obscured, as required by the design criteria. Firsching opposed. Need comprehensive master plan for the park.

8. 3014 OAK LAWN AVE
Oak Lawn United Methodist
Church
CA078-208(MD)
Mark Doty

Request: 1) New exterior stair design.

Applicant: ARCHITEXAS

Representative: N/A

Date Filed: January 3, 2008

Staff Recommendation: 1) New exterior stair design. - Approve - Approve drawings as submitted with the finding of fact the proposed work meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendation: 1) New exterior stair design. - Approve - Approve as submitted.
Task Force strongly recommends applicant purchases enough brick for the full scheme to ensure that it matches.

9. 710 N BEACON ST
Junius Heights
CA078-210(JA)
Jim Anderson

Request: 1) Construct a new carport as an addition to an existing garage.

Applicant: Sally Johnson

Representative: N/A

Date Filed: January 3, 2008

Staff Recommendation: 1) Construct a new carport as an addition to an existing garage - Approve - The proposed work meets the standards of Section 9.2 and 9.4 of Ordinance No. 26331 and City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendation: 1) Construct a new carport as an addition to an existing garage - Approve - Approval as submitted as per section 9.4.

CONSENT ITEM:

10. 4927 TREMONT ST
Munger Place Historic
District
CA078-205(MW)
Marcus Watson

Request: 1) Renovate, enlarge, and add second story to garage, per plans.
Applicant: Jeff Van Buskirk
Representative: N/A
Date Filed: January 3, 2008
Staff Recommendation:

1) Renovate, enlarge, and add second story to garage, per plans. - Approve with Conditions - The second floor column over the garage door must be changed to a newel post. Finishes and woodwork must match house. [Applicant agrees to conditions.] If conditions are met, the proposed work is consistent with the criteria for accessory structures in Ordinance #20024, Section 10 and Section 11, Paragraph (a)(1), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendation: 1) Renovate, enlarge, and add second story to garage, per plans. - Approve with Conditions - Drawings: change to reflect correct windows and doors. Newel post replaces column shown over garage doors. Finishes and woodwork details to match house. [Applicant present and agreeable to all conditions.]

11. 6015 BRYAN PKWY
Swiss Avenue Historic
District
CA078-207(MW)
Marcus Watson

Request: 1) Revision of previously approved porch.
2) Renovation of existing accessory building, per plans.
3) Craftsman-style light fixture for use on garage and house.
Applicant: Preservation Dallas
Representative: N/A
Date Filed: January 3, 2008

Staff Recommendation: 1) Revision of previously approved porch. - Approve - The proposed work is consistent with the criteria for front entrances and porches in Ordinance #18563, Section 14, Subsection (a)(11), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
2) Renovation of existing accessory building, per plans. - Approve - The proposed work is consistent with the criteria for accessory structures in Ordinance #18563, Section 14, Para. (a)(1)(B), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
3) Light fixture. - Approve - The proposed work is consistent with the criteria for accessory buildings and outdoor lighting in Ordinance #18563, Section 14, Paragraphs (a)(1)(B) and (b)(3), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Task Force Recommendation: 1) Revision of previously approved porch. - Approve - Present finish colors at later time.
2) Renovation of existing accessory building, per plans. - Approve - Present finish colors at later time.
3) Light fixture. - Approve - Light fixture can be used on accessory building and house as presented.

CONSENT ITEM:

12. 218 S WINDOMERE
AVE
Winnetka Heights Historic
District
CA078-194(MW)
Marcus Watson

Request: 1) Paint house. Body: Birdseye Maple (SW2834), Trim:
Weathered Shingle (SW284), Accent: Roycroft Vellum (SW2833).
Applicant: Jimmy G. Brown
Representative: N/A
Date Filed: December 18, 2007
Staff Recommendation: 1) Paint house. Body: Birdseye Maple, Trim:
Weathered Shingle, Accent: Roycroft Vellum. -
Approve - The proposed work is consistent with
the criteria for colors in Ordinance #18369, Section
9, Subsection (a)(8), and it meets the standards in
City Code Section 51A-4.501(g)(6)(C)(i).
Task Force Recommendation: 1) Paint house. Body: Birdseye Maple, Trim:
Weathered Shingle, Accent: Roycroft Vellum. -
Approve

DISCUSSION ITEM:

1. 3819-3949 Maple,
Nurses' Building
Amendments to H-31
Overlay and PD-262

Request: Approval of Amendments to H-31 Overlay and PD-262
Regulations Addressing Nurses' Home Building, 3919-3949
Maple Avenue.
Applicant: N/A
Representative: N/A
Date Filed:
Staff Recommendation: Approval
Task Force Recommendation: Designation Committee Recommendation:
Approval

DISCUSSION ITEM:

2. 3949 MAPLE AVE
Old Parkland Hospital
CA078-204(MD)
Mark Doty

Request:

- 1) Nurse's Building - New addition at rear (West facade) of building.
- 2) Nurse's Building - New wood windows to match original in profile.
- 3) Nurse's Building - Addition of two exterior exit stairs at North side of building.
- 4) Nurse's Building - Enlarge two window openings on each floor, north side of the rear wing, and replace with doors to access new exterior exit stairs.
- 5) Nurse's Building - New mechanical equipment and screen at roof of building.
- 6) Nurse's Building - Add driveway and parking area at South side of building.
- 7) Nurse's Building - Lower the grade at South and West side of building.
- 8) Nurse's Building - New mechanical yard at North side of building.
- 9) Nurse's Building - Exterior repair and maintenance of masonry, stone and terracotta at exterior facades.
- 10) Nurse's Building - An original wood window was previously removed and a door installed at this location at the North elevation. This door will be removed and replaced with a new wood window to recreate this historic window.
- 11) Nurse's Building - Infill two existing windows and one door opening at the South elevation in conjunction with elimination of interior stairs.

Applicant:

Quimby McCoy Preservation Architecture LLP

Representative:

N/A

Date Filed:

January 3, 2008

Staff Recommendation:

- 1) Nurse's Building - New addition at rear (West facade) of building. - Approve with Conditions - Approve with the condition the cast stone banding on the new addition be the same width and match and that a final Preservation Criteria be submitted in conjunction with this application.
- 2) Nurse's Building - New wood windows to match original in profile. - Approve - Approve based on final Preservation Criteria being submitted in conjunction with this application.
- 3) Nurse's Building - Addition of two exterior exit stairs at North side of building. - Approve - Approve based on final Preservation Criteria being submitted in conjunction with this application.
- 4) Nurse's Building - Enlarge two window openings on each floor, north side of rear wing, new doors. - Approve - Approve based on final Preservation Criteria being submitted in conjunction with this application.
- 5) Nurse's Building - New mechanical equipment and screen at roof of building. - Approve - Approve based on final Preservation Criteria being submitted in conjunction with this application.
- 6) Nurse's Building - Add driveway and parking area at South side of building. - Approve - Approve based on final Preservation Criteria being submitted in conjunction with this application.
- 7) Nurse's Building - Lower the grade at South and West side of building. - Approve - Approve based on final Preservation Criteria being submitted in conjunction with this application.
- 8) Nurse's Building - New mechanical yard at North side of building. - Approve - Approve based on final Preservation Criteria being submitted in conjunction with this application.

conjunction with this application.

9) Nurse's Building - Exterior repair/maintenance of masonry, stone and terracotta at exterior facade. - Approve - Approve based on final Preservation Criteria being submitted in conjunction with this application.

10) Nurse's Building - Remove door and install new window to match historic on north elevation. - Approve - Approve based on final Preservation Criteria being submitted in conjunction with this application.

11) Nurse's Building - Infill two existing windows and one door opening at the South elevation. - Approve - Approve based on final Preservation Criteria being submitted in conjunction with this application.

Task Force Recommendation:

1) Nurse's Building - New addition at rear (West facade) of building. - Approve - Task Force notes that review is being done prior to the Preservation Criteria being set by the Designation Committee. Task Force recommendation is made provided it does not conflict with any changes to the criteria that will be made by Designation Committee or City Staff.

Task Force comments to Designation Committee that the other facades should also be protected except the rear (West) facade.

2) Nurse's Building - New wood windows to match original in profile. - Approve with Conditions - Task Force should review the design of the replacement windows to ensure they match the original windows.

3) Nurse's Building - Addition of two exterior exit stairs at North side of building. - Approve - See Task Force Recommendation #1.

4) Nurse's Building - Enlarge two window openings on each floor, north side of rear wing, new doors. - Approve - See Task Force Recommendation #1.

5) Nurse's Building - New mechanical equipment and screen at roof of building. - Approve - See Task Force Recommendation #1.

6) Nurse's Building - Add driveway and parking area at South side of building. - Approve - See Task Force Recommendation #1.

7) Nurse's Building - Lower the grade at South and West side of building. - Approve - See Task Force Recommendation #1.

8) Nurse's Building - New mechanical yard at North side of building. - Approve - See Task Force Recommendation #1.

9) Nurse's Building - Exterior repair/maintenance of masonry, stone and terracotta at exterior facade. - Approve - See Task Force Recommendation #1.

10) Nurse's Building - Remove door and install new window to match historic on north elevation. - Approve - See Task Force Recommendation #1.

11) Nurse's Building - Infill two existing windows and one door opening at the South elevation. - Approve - See Task Force Recommendation #1.

DISCUSSION ITEM:

3. 3819 Maple
Old Parkland Hospital
CE078-009(MD)

Request: A Certificate of Eligibility (CE) for a tax exemption on 100 percent of land and improvements for a period of 10 years.
Applicant: Marcel Quimby/Quimby McCoy Preservation Architecture, LLP
Representative: N/A
Date Filed: December 18, 2007
Staff Recommendation: Approval
Task Force Recommendation: N/A

4. 5318 VICTOR ST
Junius Heights
CA078-211(JA)
Jim Anderson

Request: 1) Remove storm door.
2) Replace non-historic front door with new Craftsman style door.
Applicant: Kenneth Teague
Representative: N/A
Date Filed: January 3, 2008
Staff Recommendation: 1) Remove storm door. - Approve - Storm door is not original. The proposed work meets the standards of Section 5.2 of Ordinance No. 26331 and City Code Section 51A-4.501(g)(6)(C)(i).
2) Replace non-historic front door with new Craftsman style door. - Approve with Conditions - Approval of a door similar the one shown. The glass in the three windows must be clear glass, not art glass as shown in photo. Glass can have beveled edges if desired. Recommend exploring other websites and local salvage stores for this type of door. The proposed work meets the standards of Section 5.2 of Ordinance No. 26331 and City Code Section 51A-4.501(g)(6)(C)(i).
Task Force Recommendation: 1) Remove storm door. - Approve
2) Replace non-historic front door with new Craftsman style door. - Approve with Conditions - Approval of door with conditions as submitted but using either clear glass or clear glass with beveled edges and not the art glass (as shown).

5. 415 N EDGEFIELD AVE
Winnetka Heights Historic
District
CA078-193(MW)
Marcus Watson

Request: 1) Doors changed by previous owner. New owner requesting approval to comply. Door as submitted.
Applicant: Sage Crest Properties, LLC
Representative: N/A
Date Filed: December 18, 2007
Staff Recommendation: 1) Doors changed by previous owner. New owner requesting approval to comply. Door as submitted.
- 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 the preservation criteria, Ord. #18369, Sect. 9, Para. (a)(17)(iii) that requires that doors in front and side facades be typical of the style and period of the building. The proposed doors are not typical to an early 20th-century Craftsman style cottage.
Task Force Recommendation: 1) Doors changed by previous owner. New owner requesting approval to comply. Door as submitted.
- Deny - Motion to leave doors in place is denied.

DISCUSSION ITEM:

6. 104 S EDGEFIELD AVE
Winnetka Heights Historic
District
CD078-013(MW)
Marcus Watson

Request: 1) Demolish structure damaged by fire in late 2005 and remove all debris.
Applicant: Laura Foster
Representative: N/A
Date Filed: December 31, 2007
Staff Recommendation:

1) Demolish structure damaged by fire in late 2005 and remove all debris. - Deny without Prejudice - The engineer's report states that a full evaluation has not been conducted. This needs to be done before an approval is granted. The two properties must be evaluated separately. A more descriptive and/or itemized rehabilitation cost analysis must be provided. The proposed demolition does not meet the standards in City Code Section 51A-4.501(h)(4)(C) because the applicant has not shown that the demolition or removal is required to alleviate the threat to public health and safety or that there is no reasonable way, other than demolition or removal, to eliminate the threat in a timely manner.

Task Force Recommendation: 1) Demolish structure damaged by fire in late 2005 and remove all debris. - Deny - Application does not meet criteria on application.

7. 108 S EDGEFIELD AVE
Winnetka Heights Historic
District
CD078-014(MW)
Marcus Watson

Request: 1) Demolish structure damaged by fire in late 2005 and remove all debris.
Applicant: Laura Foster
Representative: N/A
Date Filed: December 31, 2007
Staff Recommendation:

1) Demolish structure damaged by fire in late 2005 and remove all debris. - Deny without Prejudice - The engineer's report states that a full evaluation has not been conducted. This needs to be done before an approval is granted. The two properties must be evaluated separately. A more descriptive and/or itemized rehabilitation cost analysis must be provided. The proposed demolition does not meet the standards in City Code Section 51A-4.501(h)(4)(C) because the applicant has not shown that the demolition or removal is required to alleviate the threat to public health and safety or that there is no reasonable way, other than demolition or removal, to eliminate the threat in a timely manner.

Task Force Recommendation: 1) Demolish structure damaged by fire in late 2005 and remove all debris. - Deny - Application does not meet criteria for demo application.

DISCUSSION ITEM:

8. 800 Jackson, Davis Hat/Office Building Initiation

Request: Initiation of the Designation Process for 800 Jackson Street, Davis Hat/Office Building.
Applicant: N/A
Representative: N/A
Date Filed:
Staff Recommendation: Approval
Task Force Recommendation: Designation Committee Recommendation: Approval

9. 1902 Commerce Street, Statler Hilton Initiation

Request: Initiation of the Designation Process for 1902 Commerce Street, Statler Hilton.
Applicant: N/A
Representative: N/A
Date Filed:
Staff Recommendation: Approval
Task Force Recommendation: Designation Committee Recommendation: Approval

OTHER BUSINESS:

1. Approval of the Minutes of January 7, 2008.
2. Discussion on a possible permanent change to the Landmark Commission briefing time.
3. Approval of the Resignation of Josh Hedderich (letter dated December 31, 2007) from the Landmark Commission Tax Incentive Committee.
4. Appointment of Task Force Members. List available in the Department of Development Services, Preservation Division.
5. The Designation Committee will meet on the following dates:
Wednesday, February 6, 2008, at 5:45 p.m., 1500 Marilla Street, Room 5/D/N
Wednesday, February 20, 2008, at 5:45 p.m., 1500 Marilla Street, Room 5/D/N
Wednesday, March 5, 2008, at 5:45 p.m., 1500 Marilla Street, Room 5/D/N
Wednesday, March 19, 2008, at 5:45 p.m., 1500 Marilla Street, Room 5/D/N
6. The Landmark Commission Rules of Procedure Committee will meet on Tuesday, February 12, 2008, in the Council Chambers.
At 6:00 p.m. the committee will discuss the format for the public hearing. The public hearing will begin at 6:30 p.m.
7. Questions and comments about any routine maintenance request approved by city staff and provided to the Landmark Commission for review. List of properties receiving routine maintenance approvals are available at the Department of Developments Services from Luann Taylor.

EXECUTIVE SESSION

The Commission may hold a closed executive session concerning one or more of the following topics:

- a. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the commission's attorney to his client under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act; [Texas Government Code §551.071]*
- b. deliberating the purchase, exchange, lease, or value of real property if deliberation in open meeting would have a detrimental effect on the position of the city in negotiations with a third person; [Texas Government Code §551.072]*
- c. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person; [Texas Government Code §551.073]*
- d. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to the hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation requests a public hearing; or [Texas Government Code §551.074]*
- e. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Texas Government Code §551.076]*
- f. Discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay, or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Texas Government Code §551.086]*