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City of Dallas

Landmark Commission 2007 JUN 28 PM 4: 03

Monday, July 2, 2007

AGENDA

CITY SECRETARY
DALLAS, TEXAS

BRIEFING	Dallas, City Hall, 1500 Marilla Street, Room 5/E/S	10:00 A.M.
LUNCH		
PUBLIC HEARING	Dallas City Hall, 1500 Marilla Street, 6th Floor, Council Chambers	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, Chief Planner
Jim Anderson, Senior Planner
Tracey Cox, Planner
Mark Doty, Senior Planner
Marcus Watson, Senior Planner

BRIEFING:

1. Routine Maintenance
2. Certificates of Appropriateness
3. Certificates of Demolition and Removal
4. Certificates of Eligibility
5. Re-initiations, Designations and Authorizations
6. Briefing on proposed changes to Article XI of the Dallas Development Code related to development incentives for historic properties, including tax exemptions, conservation easements, and transfer of development rights.
7. Training - City Attorney's Office
 - 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, Kathy Zibilich, Assistant City Attorney.
8. Other Business

RULES OF PROCEDURE:

1. The Landmark Commission Rules of Procedure will be heard in Council Chambers at 3:00 p.m.

CONSENT ITEM:

1. 3500 S FITZHUGH AVE
Fair Park
CA067-446(MD)
Mark Doty

Request: 1) New service maintenance facility (20' x 60', 10' in height on the west elevation and 12' in height on the east elevation) pre-engineered metal building on east end of Midway for new Skyride.

Applicant: STATE FAIR OF TEXAS

Representative: N/A

Date Filed: May 31, 2007

Staff Recommendation: 1) New service maintenance facility (20' x 60' x 10'-12') on east Midway for the new Skyride. - Approve - Approve new Skyride service maintenance facility (20' x 60', 10' in height on the west elevation and 12' in height on the east elevation) pre-engineered metal building on east end of Midway with the finding of fact that the new structure will not adversely affect any historical or architectural feature of a building, structure, or land within the District per Ordinance 19487, Section 3. Metal wall color to be tan (building beige) and the roof color to be 'Hawaiian Blue'.

Task Force Recommendation: 1) New service maintenance facility (20' x 60' x 10'-12') on east Midway for the new Skyride. - Approve

2. 3500 S FITZHUGH AVE
Fair Park
CA067-458(MD)
Mark Doty

Request: 1) Cotton Bowl - Revise the dignitary section of the seating plan.
2) Cotton Bowl - Add seat backs to some of the bench seating.

Applicant: Quimby McCoy Preservation Architecture LLP

Representative: N/A

Date Filed: June 7, 2007

Staff Recommendation: 1) Cotton Bowl - Revise the dignitary section of the seating plan. - Approve with Conditions - Approve with the Condition that the color (Polyone 430C Gray) of the proposed seating (American Seating, Sports Series 408) match the proposed aluminum seating and with the finding of fact that the proposed work will not adversely affect any historical or architectural feature of a building, structure, or land within the district per Ordinance 19487, Section 3.
2) Cotton Bowl - Add seat backs to some of the bench seating. - Approve with Conditions - Approve with the Condition that the color of the new seating backs match the proposed aluminum seating and with the finding of fact that the proposed work will not adversely affect any historical or architectural feature of a building, structure, or land within the district per Ordinance 19487, Section 3.

Task Force Recommendation: 1) Cotton Bowl - Revise the dignitary section of the seating plan. - Approve with Conditions - Recommend approval, with condition that new seats in Governor's section are colored to match, as closely as possible, the gray color of the bench seats.
2) Cotton Bowl - Add seat backs to some of the bench seating. - Approve

CONSENT ITEM:

3. 707 N GLASGOW DR
Junius Heights
CA067-455(JA)
Jim Anderson

Request: 1) Plant list for landscape plan.
Applicant: Joseph Kaplor
Representative: N/A
Date Filed: June 4, 2007
Staff Recommendation: 1) Plant list for landscape plan. - Approve - Approval as submitted. Ordinance No. 26331 - 3.5 b. Landscaping must be appropriate, enhance the structure and not obstruct significant views.
Task Force Recommendation: 1) Plant list for landscape plan. - Approve - Approval of landscape plan as shown. Junius Heights has no landscaping restrictions other than it must be "compatible."

4. 724 N GLASGOW DR
Junius Heights
CA067-450(JA)
Jim Anderson

Request: 1) Revise window configurations on left and right elevations at rear.
Applicant: Francis Corrieri
Representative: N/A
Date Filed: May 11, 2007
Staff Recommendation: 1) Revise windows. - Approve with Conditions - Approval to change the window configuration as shown with one-over-one to match the original windows on the side of the house. The windows on the second floor, both elevations, closest to the street were intended to be one-over-one and will be redrawn to match the other windows. (The Applicant was present at the Task Force meeting and agrees to these conditions.) All these proposed changes are on the rear part of the original house and are not protected. Ordinance No. 26331 Section 4.1a, 5.3 Replacement windows must express light configuration and material to match original.
Task Force Recommendation: 1) Revise windows. - Approve with Conditions - Approval to change the window configuration as shown with one-over-one to match the original windows on the side of the house. The windows foremost to the street on the second floor will be redrawn to match the other windows. All the new windows are on the rear part of the house and are not protected. (The Applicant was present at the Task Force meeting and agrees to these conditions.)

5. 5326 JUNIUS ST
Junius Heights
CA067-452(JA)
Jim Anderson

Request: 1) Add first floor deck and second floor balcony to rear of structure. This replaces existing back porch and stairs.
Applicant: Eric Graham
Representative: N/A
Date Filed: May 28, 2007
Staff Recommendation: 1) Add rear porch. - Approve - Approval of plans for stairs, balcony and deck as submitted. Ordinance No. 26331 Section 8.3 New construction and additions must be compatible with the historic style.
Task Force Recommendation: 1) Add rear porch. - Approve - Approval of plans for stairs, balcony and deck as shown.

CONSENT ITEM:

6. 5614 JUNIUS ST
Junius Heights
CA067-454(JA)
Jim Anderson

Request: 1) Add stone to existing retaining wall.
Applicant: Josette Brooks
Representative: N/A
Date Filed: June 6, 2007

Staff Recommendation: 1) Add stone to existing retaining wall. - Approve - Approval to use "Oklahoma Stone" as shown on photo submitted by applicant. Dallas Development Code 51A-4.501g(6)(C) Proposed work will not have an adverse effect on the architectural features of the structure or the historic district.

Task Force Recommendation: 1) Add stone to existing retaining wall. - Approve - Approval to use "Oklahoma Stone" as shown on photo submitted by applicant.

7. 5829 TREMONT ST
Junius Heights
CA067-457(JA)
Jim Anderson

Request: 1) Driveway gate.
2) Fence and gate
3) Railing on rear deck.

Applicant: Sibyl Koss

Representative: N/A

Date Filed: June 7, 2007

Staff Recommendation: 1) Driveway gate. - Approve - Approval of both designs and location submitted. Ordinance No. 26331 Section 3.6 a 2
2) Fence and gate - Approve - Approval of either design as submitted. Wrought iron to match gate. Ordinance No. 26331 Section 3.6 a 2
3) Railing on rear deck. - Approve - Approval of either design as submitted. Wrought iron to match gate. Dallas Development Code 51A-4.501g(6)(C) Proposed work will not have an adverse effect on the architectural features of the structure or the historic district.

Task Force Recommendation: 1) Driveway gate. - Approve - Approval of either design as shown. Approval of location as shown.
2) Fence and gate - Approve - Approval as submitted.
3) Railing on rear deck. - Approve

8. 4620 JUNIUS ST
Peak's Suburban Addition
Neighborhood
CA067-449(MD)
Mark Doty

Request: 1) Improvements to front yard landscaping.
2) Removal of tree on side of house.

Applicant: Carin Hughes

Representative: N/A

Date Filed: June 7, 2007

Staff Recommendation: 1) Improvements to front yard landscaping. - Approve - Approve with the finding of fact that the proposed landscaping meets the requirements per Ordinance 22352, Item 2.6.
2) Removal of tree on side of house. - Approve - Approve with the finding of fact that the tree has been examined by the City Arborist and that the proposed work is in accordance with Ordinance 22352, Item 2.8.

Task Force Recommendation: 1) Improvements to front yard landscaping. - Approve
2) Removal of tree on side of house. - Approve

CONSENT ITEM:

9. 2706 HIBERNIA ST
State Thomas Historic
District
CA067-465(JA)
Jim Anderson

Request: 1) Landscape plan.
2) Minor revisions to windows.
Applicant: Norman Alston Architects
Representative: N/A
Date Filed: June 7, 2007

Staff Recommendation: 1) Landscape plan. - Approve - Approval as submitted. Ordinance No. 19084 Section 8 (b)(3) Foundation plants must not screen significant architectural features of the main building.
2) Minor revisions to windows. - Approve - Approval to very slight changes to of window location on the southside elevation toward the rear. Ordinance No. 19084 Section 8a(16)(F).

Task Force Recommendation: 1) Landscape plan. - Approve - Approval of landscape plan.
2) Minor revisions to windows. - Approve - Approval to location change of windows located on the southside elevation toward the rear.

10. 2315 ROUTH ST
State Thomas Historic
District
CA067-453(JA)
Jim Anderson

Request: 1) Add dormer windows to roof of shot gun house.
Applicant: Juris Laivins
Representative: N/A
Date Filed: May 21, 2007

Staff Recommendation: 1) Add dormer windows to roof of shot gun house. - Approve - Approval as submitted. Ordinance No. 19084 Section 8(a)(2) Dormers are compatible with the structure.

Task Force Recommendation: 1) Add dormer windows to roof of shot gun house. - Approve - Approval of two dormer windows to roof of shot gun house.

11. 334 S EDGEFIELD AVE
Winnetka Heights Historic
District
CA067-467(MW)
Marcus Watson

Request: 1) Paint exterior of house. Body: Olympic C47-1(Aster Petal); Trim: Olympic D44-1(Moondance); and Window Sashes: Olympic D47-5(Blue Zephyr).
Applicant: Richard Fitzgerald
Representative: N/A
Date Filed: May 8, 2007

Staff Recommendation: 1) Paint exterior of house. - Approve - Ord. #18369, Sect. 9, Para. (a)(8)(C): All structures must have a dominant color and no more than two trim colors. The colors of a structure must be complementary of each other and the overall character of this district.

Task Force Recommendation: 1) Paint exterior of house. - Approve - Colors ok.

CONSENT ITEM:

12. 324 S MONTCLAIR
AVE
Winnetka Heights Historic
District
CA067-472(MW)
Marcus Watson

Request: 1) Stain wooden privacy fence.
Applicant: Eric Batten
Representative: N/A
Date Filed: June 6, 2007
Staff Recommendation: 1) Stain privacy fence. - Approve - Ord. #18369, Sect. 9, Para. (b)(2)(G)(iii): Wooden fences may be painted or stained a color that is complementary to the main building.
Task Force Recommendation: 1) Stain privacy fence. - Approve - Color ok.

13. 221 N ROSEMONT
AVE
Winnetka Heights Historic
District
CA067-468(MW)
Marcus Watson

Request: 1) Repaint house. Body: RL NA19(Plateau), Trim: RL NA02(Crab Apple), Door and Sashes: RL TH28(Surrey).
Applicant: Connie Millsap
Representative: N/A
Date Filed: May 18, 2007
Staff Recommendation: 1) Repaint house. - Approve - Ord. 18369, Sect. 9, Para. (a)(8)(C): All structures must have a dominant color and no more than two trim colors. The colors of a structure must be complementary of each other and the overall character of this district.
Task Force Recommendation: 1) Repaint house. - Approve - Colors ok.

DISCUSSION ITEM:

1. 6220 WORTH ST
John F. and Lucy Parks
House
CA067-462(MD)
Mark Doty

Request: 1) Detailed landscaping plan.
2) Fence plan.
Applicant: NORMAN ALSTON
Representative: N/A
Date Filed: June 7, 2007
Staff Recommendation: 1) Detailed landscaping plan. - Approve - Approve as submitted with the finding of fact the proposed landscaping meets Preservation Criteria, Items 4.4 (b) and (c).
Staff recommendation to add additional landscaping along terrace to soften brick wall.
2) Fence plan. - Approve - Approve as submitted with drawings dated 6/21/07 with the finding of fact the proposed work meets requirements per the Preservation Criteria, Item 4.5.
Task Force Recommendation: 1) Detailed landscaping plan. - Approve
2) Fence plan. - Approve with Conditions - Motion to approve with the condition that the side yard fences be no taller than 6' in accordance with Exhibit B3 of the preservation criteria.

DISCUSSION ITEM:

2. 5406 Worth Street
Junius Heights
CE067-114(TC)

Request: A Certificate of Eligibility (CE) for a tax abatement on 100 percent of land and improvements for a period of ten years and approval of \$22,322 in receipts spent on rehabilitation since July 2, 2006.
Applicant: Kerry Paige Whitney
Representative: N/A
Date Filed: May 25, 2007
Staff Recommendation: Approval of the Certificate of Eligibility and approval of the \$22,322 in receipts spent on rehabilitation since July 2, 2006.
Task Force Recommendation: As a contributing structure, approval granted for a tax incentive as long as receipts are produced.

3. 5410 Worth
Junius Heights
CE067-113(TC)

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 \$31,346 in receipts spent towards rehabilitation since July 2, 2006.
Applicant: Suzanna Lockridge
Representative: N/A
Date Filed: May 8, 2007
Staff Recommendation: Approval of the Certificate of Eligibility and approval of \$31,346 in receipts spent towards rehabilitation since July 2, 2006.
Task Force Recommendation: As a contributing structure, approval granted for a tax incentive as long as receipts are produced.

4. 5829 Tremont Street
Junius Heights
CE067-115(TC)

Request: A Certificate of Eligibility (CE) request for a tax abatement on 100 percent of land and improvements for a period of ten years.
Applicant: Sibyl Koss
Representative: N/A
Date Filed: April 5, 2007
Staff Recommendation: Approval of the Certificate of Eligibility.
Task Force Recommendation: As a contributing structure, approval granted for a tax incentive as long as receipts are produced.

DISCUSSION ITEM:

5. 5528 JUNIUS ST
Junius Heights
CA067-451(JA)
Jim Anderson

Request: 1) New front door.
2) Landscaping.
3) Changes to front porch.

Applicant: Milton Escoto

Representative: N/A

Date Filed: May 8, 2007

Staff Recommendation: 1) New front door. - Approve with Conditions - Approval of one of doors submitted to applicant. Applicant is searching salvage yards for appropriate door. Ordinance No. 26331 Section 5.2.
2) Landscaping. - Deny without Prejudice - No recommendation on landscaping since no plans were submitted.
3) Changes to front porch. - Deny - Denial of concept of shed roof added to porch. It is not appropriate. Ordinance No. 4.1(b) Renovation of protected facades must be appropriate. Original front porch has been enclosed, It is recommended that the front porch be restored. Ordinance No. 26331 7.2. It is recommended that existing enclosed porches on protected facades be restored to their historic appearance.

Task Force Recommendation: 1) New front door. - Approve with Conditions - Since no plan was submitted we recommend that staff approve a door for Landmark Commission review.
2) Landscaping. - Deny without Prejudice - No recommendation on landscaping since no plans were submitted.
3) Changes to front porch. - Deny - Denial of shed roof. It is not compatible. Original front porch has been enclosed, It is recommended that the front porch be restored.

DISCUSSION ITEM:

6. 4302 GASTON AVE
Peak's Suburban Addition
Neighborhood
CA067-463(MD)
Mark Doty

Request: 1) New front yard fence, 3'-6", wood picket, 50% open.
2) Install wrought iron, sliding gate at driveway, 14'-0" in width, 6'-0" in height.
3) New wood fence with steel posts along side and rear.

Applicant: CONNIE ZEMAN

Representative: N/A

Date Filed: June 7, 2007

Staff Recommendation: 1) New front yard fence, 3'-6", wood picket, 50% open. - Approve with Conditions - Approve the new front yard fence and gate, 3'-6" in height, with the condition that it be wrought iron with a design to be resubmitted to Staff for ensure it is historically appropriate per Ordinance 22352, Item 2.10.
2) Install wrought iron, sliding gate at driveway, 14'-0" in width, 6'-0" in height. - Approve with Conditions - Approve new wrought iron, sliding gate at driveway, 14'-0" in width, 6'-0" in height, with the conditions that the gate have a straight top, be painted black, be located 20' back as required per Building Code, and with the finding of fact the proposed work meets the criteria per Ordinance 22352, Item 2.13 and Dallas City Code 51A-4.501(g)(6)(C).
3) New wood fence with steel posts along side and rear. - Approve with Conditions - Approve with conditions interior side yard fence return be iron, 6'-0" in height, 70% open located 5'-0" from the front facade with the finding of it meets requirements per Ordinance 22352, Item 2.11(a) and with the finding of fact that more screening is necessary to ensure privacy.
Approve with Conditions the rear fence, solid wood, 6'-0" in height, with the finding of fact that the new fence meets requirements per Ordinance 22352, Item 2.13, 2.14, and 2.15.
Approve with conditions new cornerside fence, solid wood, 6'-0" in height, with solid wood fence return located 1'-0" from front facade with the finding of fact that although the proposed fence does not meet the Ordinance requirements, it is necessary due to vehicular traffic along Peak and increased pedestrian traffic in association with the DART bus stop located next to the building, is historically accurate and is consistent with the spirit and intent of the preservation criteria and will not have an adverse effect on the historic district or the property per Dallas City Code 51A-4.501(g)(6)(B).

Task Force Recommendation: 1) New front yard fence, 3'-6", wood picket, 50% open. - Approve with Conditions - All fences and gates to be straight (top of pickets align), pointed or gothic-style pickets allowed at 3'-6" fence. Posts to be same height as pickets. Color shall be flat black.
2) Install wrought iron, sliding gate at driveway, 14'-0" in width, 6'-0" in height. - Approve with Conditions - Gate to be straight (top of pickets align). Color shall be flat black.
3) New wood fence with steel posts along side and rear. - Approve with Conditions - Corner sideyard fence in front of building facade should be 70% open iron fence in front 50% of facade and it is recommended that rear 50% be allowed to be solid

per 2.12.

All fences to be straight (top of pickets align).

Posts to be same height as pickets.

Color for all metal fence shall be flat black.

7. 4842 GASTON AVE
Peak's Suburban Addition
Neighborhood
CA067-464(MD)
Mark Doty

Request: 1) Renovation of existing car wash - New equipment.
2) Renovation of existing car wash - New overhead metal doors on two bays.
3) Renovation of existing car wash - New metal panel infill.
4) Renovation of existing car wash - Re-paint existing brick.

Applicant: PHILLIP W CHRISTIE

Representative: N/A

Date Filed: June 7, 2007

Staff Recommendation: 1) Renovation of existing car wash - new equipment. - Approve - Approve with the finding of fact the structure is non-contributing and proposed work is compatible with the historic district per Dallas City Code 51A-4.501(g)(6)(C)(ii).
2) New overhead metal doors on two bays. - Approve - Approve with the finding of fact that the installation of the new metal overhead doors, painted 2107-40 'Driftwood', is compatible with the historic district per Dallas City Code 51A-4.501(g)(6)(C)(ii).
3) New metal panel infill. - Approve - Approve with the finding of fact that the installation of the new metal panel infill, painted 2107-40 'Driftwood', is compatible with the historic district per Dallas City Code 51A-4.501(g)(6)(C)(ii).
4) Re-paint existing brick. - Approve - Approve with the finding of fact that painting of the previously painted brick, 2107-40 'Driftwood', is compatible with the historic district per Dallas City Code 51A-4.501(g)(6)(C)(ii).

Task Force Recommendation: 1) Renovation of existing car wash - new equipment. - Approve
2) New overhead metal doors on two bays. - Approve - Use of Color 2107-40 'Driftwood' is approved as an optional additional color for overhead doors.
3) New metal panel infill. - Approve - Use of Color 2107-40 'Driftwood' is approved as an optional additional color for metal panel infill.
4) Re-paint existing brick. - Approve - Recommend color 2110-50 'Gobi Desert' over 2109-60 'Portland Gray'.

DISCUSSION ITEM:

8. 208 FLEMING AVE
Tenth Street Neighborhood
CD067-018(TC)
Tracey Cox

Request: 1) Demolition of main structure based on imminent threat to public health and safety
Applicant: PATSY TAYLOR
Representative: N/A
Date Filed: May 17, 2007

Staff Recommendation: 1) Demolition of main structure based on imminent threat to public health and safety - Deny without Prejudice - Criteria for demolition due to imminent threat to public health and safety is not met by the application. Staff will work with the applicant to help the applicant obtain the proper documentation.

Task Force Recommendation: 1) Demolition of main structure based on imminent threat to public health and safety - Deny without Prejudice - Criteria for demolition due to imminent threat to public health and safety is not met by the application.

9. 1218 E 10TH ST
Tenth Street Neighborhood
CD067-119(TC)
Tracey Cox

Request: 1) Demolition of main structure based on imminent threat to public health and safety
Applicant: Graciela Solorzano
Representative: DANIEL SOLORZANO
Date Filed: May 22, 2007

Staff Recommendation: 1) Demolition of main structure based on imminent threat to public health and safety - Deny without Prejudice - Criteria for demolition due to imminent threat to public health and safety is not met by the application. Task Force encourages the applicant to explore options for repairs and selective removals of non-historic or severely deteriorated elements.

Task Force Recommendation: 1) Demolition of main structure based on imminent threat to public health and safety - Deny without Prejudice - Criteria for demolition due to imminent threat to public health and safety is not met by the application. Task Force encourages the applicant to explore options for repairs and selective removals of non-historic or severely deteriorated elements.

DISCUSSION ITEM:

10. 127 N CLINTON AVE
Winnetka Heights Historic
District
CA067-470(MW)
Marcus Watson

Request: 1) Replace siding on sides and back of house with cementitious siding (Hardiplank). Repaint to match existing. Applicant points out that the garage has cementitious siding. However, the CA approved for a previous owner in 2000 for the garage, neither approves nor denies the non-wood siding. The plans call for 7" lap siding and corner details to match the house.
2) Repair side and back eaves. Repaint to match existing.

Applicant: Liz Kline

Representative: N/A

Date Filed: May 30, 2007

Staff Recommendation: 1) Replace siding on sides and back of house with Hardie Board. Repaint to match existing. - Deny - [Ord. 18369, Sect. 9 (a)(10)(A) The only permitted facade materials are brick, wood siding, cut stone, and stucco; and (C) Existing wood facades must be preserved as wood facades.]
2) Repair side and back eaves. Repaint to match existing. - Approve with Conditions - [All materials must be wood or same as existing. No Hardi-materials.]

Task Force Recommendation: 1) Replace siding on sides and back of house with Hardie Board. Repaint to match existing. - Deny without Prejudice - Denial without prejudice. [Ord. 18369, Sect. 9 (a)(10)(A) The only permitted facade materials are brick, wood siding, cut stone, and stucco; and (C) Existing wood facades must be preserved as wood facades.]
2) Repair side and back eaves. Repaint to match existing. - Approve with Conditions - Approved w/ conditions. [All materials must be wood or same as existing. No Hardi- materials.]

DISCUSSION ITEM:

11. 310 N EDGEFIELD AVE
Winnetka Heights Historic
District
CA067-473(MW)
Marcus Watson

Request:

- 1) Add center column base and railings to porch (as seen on other homes in neighborhood). New base to match existing bases.
- 2) Rebuild step buttresses (cheek walls) with details and siding to match porch column bases.
- 3) Replace broken concrete driveway with ribbon driveway and add 8' apron.

Applicant:

Rob Romano

Representative:

N/A

Date Filed:

June 7, 2007

Staff Recommendation:

- 1) Add column base and railings to porch. - Approve - Dallas Development Code Sect. 51A-4.501, Para. (g)(5)(C)(i)(aa-dd): The proposed work is consistent with the regulations and will not have an adverse effect on the structure, the district or the future preservation of the structure or district and complies with column regulations in Ord. 18369 Section 9(a)(9) and porch regulations in Ord. 18369, Section 9(a)(11).
- 2) Rebuild buttresses (cheek walls). - Approve - Dallas Development Code Sect. 51A-4.501, Para. (g)(5)(C)(i)(aa-dd): The proposed work is consistent with the regulations and will not have an adverse effect on the structure, the district or the future preservation of the structure or district and complies with the porch regulations in Ord. 18369, Section 9(a)(11)(A).
- 3) Replace broken concrete driveway and add 8' apron and ribbon on rest. - Approve with Conditions - Treads must be at least 1 foot wide. [Ord. 18369, Sect. 9 (b)(9)(B)(ii) Ribbon driveways are permitted, but only if the ribbons are at least one foot wide.]

Task Force Recommendation:

- 1) Add column base and railings to porch. - Approve
- 2) Rebuild buttresses (cheek walls). - Approve
- 3) Replace broken concrete driveway and add 8' apron and ribbon on rest. - Approve with Conditions - Treads must be at least 1 foot wide. [Ord. 18369, Sect. 9 (b)(9)(B)(ii) Ribbon driveways are permitted, but only if the ribbons are at least one foot wide.]

DISCUSSION ITEM:

12. 223 N MONTCLAIR
AVE
Winnetka Heights Historic
District
CA067-469(MW)
Marcus Watson

Request: 1) Waive one-year time limitation on the basis that there are new circumstances that warrant a new hearing: 1) the wall has been in place for over 36 years (shown in photos and sworn by neighbor in affidavit) and 2) the ordinance states that a retaining wall may be constructed of natural stone. This request must be approved by a simple majority vote before Request No. 2 may be considered.
2) Cover existing retaining wall in natural stone. This request is for the retaining wall only, not the steps or sidewalk.

Applicant: Curtis Clements

Representative: N/A

Date Filed: May 23, 2007

Staff Recommendation: 1) Waive one-year reapplication limitation. - Approve
2) Place rock over existing retaining wall. - Approve - Ord. #18369, Sect. 9 (b)(8): A retaining wall must be constructed of unpainted stone, brick, stucco, or smooth-finish concrete that is compatible in texture, color, and style with the main building. Stone is typical of retaining walls in the district (steps and sidewalk are not included). Retaining wall existed prior to creation of district and has not changed in size. Stone is an allowed retaining wall material. This is a request simply to cover a legally existing retaining wall with an allowed material.

Task Force Recommendation: 1) Waive one-year reapplication limitation.
2) Place rock over existing retaining wall. - Deny - Ord. #18369, Sect. 9 (b)(8): A retaining wall must be constructed of unpainted stone, brick, stucco, or smooth-finish concrete that is compatible in texture, color, and style with the main building. [Stone is not compatible.]

13. 237 S WINDOMERE
AVE
Winnetka Heights Historic
District
CA067-466(MW)
Marcus Watson

Request: 1) Raise existing 6' fence to 8'-6" or 9' for security reasons, either filling the gap at the bottom with vertical boards 2'6" to 3' long with on horizontal kick board or adding 2'6" to 3' of lattice to the top. Replace existing wood posts with steel posts. Restain.

Applicant: Mike Mitchell

Representative: N/A

Date Filed: May 7, 2007

Staff Recommendation: 1) Reconfiguration and repairs to existing fence. - Approve with Conditions - Fence option B only with lattice to be vertical and horizontal "not diagonal," with a finding of fact that a diagonal lattice will have an adverse effect on the historic district. Maximum fence height is 9 feet. Stain color is compatible. [Ord. 18369, Sect. 9, Para. (b)(2) and Dallas Development Code Section 51A-4.501 (g)(6)(c)(i).]

Task Force Recommendation: 1) Reconfiguration and repairs to existing fence. - Approve with Conditions - Fence option B with lattice to be vertical and horizontal "not diagonal." Stain color to be approved. [Note: Approval did not include option A]

DISCUSSION ITEM:

14. 1921 Commerce Street,
107 S Harwood, 1920 Main
Street, 1924 Main Street,
1928 Main Street
Main Street Garden

Request: A public hearing to initiate Historic District procedure to ammend historic Overlay District No. 48 to remove the Main Street Garden from the Harwood Historic District.

Applicant: Doug Edwards

Representative: N/A

Date Filed: June 11, 2007

Staff Recommendation:

Deny.

1. Demolition approvals on some of the buildings were issued under the criteria, "Replace with more appropriate/compatible structure," which by its nature requires Landmark Commission review of new structures. The Commission has approved a concept plan, but a full plan and details still must be submitted. The Commission must concur that what is built in the park is, in fact, "more compatible."

2. Narrowing the boundaries of a district or, essentially, "un-designating" properties, even after a CA is issued, sets a precedent for future similar requests, which sets the stage for projects that do not follow the preservation guidelines, are not compatible with the surrounding buildings, or adversely affect the district.

3. Whether or not the park is "historic" or "contemporary," the form the park takes and all of its design elements will have a direct visual effect on the Harwood Historic District and other potentially eligible buildings surrounding it. Removing the park from the district also removes the Commission's professional input in pointing out adverse effects and better ways of accomplishing a design aim.

4. It is bad precedent for a Commission to abdicate review authority over any landmark property or district, absent extremely compelling reasons to the contrary. This too opens the door for abuse of our city's historic resources.

5. The item was placed on the agenda recently, so neither the CDB Task Force nor the Designation Committee have had time to review it and to make a recommendation.

Task Force Recommendation: Designation Committee did not review this item.

DISCUSSION ITEM:

15. 1810 Commerce Street
Mercantile Continental
Building
Re-initiation

Request: Re-initiation, Designation and Authorization of a Public Hearing for the Mercantile Continental Building, 1810 Commerce Street.

Applicant: N/A

Representative: N/A

Date Filed:

Staff Recommendation: Approve re-initiation only, subject to consideration of termination of the pre-designation moratorium in six months. This allows the property owner to complete a study to determine feasible use and design of the building and review of the draft preservation criteria.

Task Force Recommendation: Designation Committee Recommendation: Approval of the Re-initiation, Designation and Authorization of a Public Hearing for the Mercantile Continental Building, 1810 Commerce Street.

16. 1530 Main Street
Dallas National Bank
Building
Re-initiation

Request: Re-initiation, Designation and Authorization of a Public Hearing for the Dallas National Bank Building, 1530 Main Street.

Applicant: N/A

Representative: N/A

Date Filed:

Staff Recommendation: Approval of reinitiation, designation and authorization of a public hearing.

Task Force Recommendation: Designation Committee Recommendation: Approval of the Designation Committee Recommendation: Re-initiation, Designation and Authorization of a Public Hearing for the Dallas National Bank Building, 1530 Main Street.

17. 5543-5545 Sears Street
of Adams-Gullett Duplex
Initiation, Designation and
Authorization

Request: Initiation, Designation and Authorization of Adams-Gullett Duplex, 5543/5545 Sears Street

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 June 4, 2007.
2. Appointment of Peter Murgola to the Winnetka Heights/Lake Cliff Task Force.
3. Appointment of additional members to the Historic Preservation Tax Incentive Committee.
4. Approval of the Landmark Commission Rules of Procedures.
Staff Recommendation: Approval with conditions.
Note: Rules of Procedure will be heard at 3:00 p.m.
5. Status report from the Tax Abatement Subcommittee.
6. Historic Preservation Program - Tax Incentive Committee Meetings will be held on the following dates:
Tuesday, July 3, 2007, 1500 Marilla Street, Room 5DN
Wednesday, July 11, 2007, 1500 Marilla Street, Room 5ES
Wednesday, July 18, 2007, 1500 Marilla Street, Room 5DN
Wednesday, July 25, 2007, 1500 Marilla Street, Room 5ES
Wednesday, August 1, 2007, 1500 Marilla Street, Room 5DN

OTHER BUSINESS:

7. Designation Committee Meetings will be held on the following dates:

Wednesday, July 25, 2007, 5:45 p.m., Dallas City Hall, 1500 Marilla Street, 5DN.

Wednesday, August 8, 2007, 5:45 p.m., Dallas City Hall, 1500 Marilla Street, 5DN.

Wednesday, August 22, 2007, 5:45 p.m., Dallas City Hall, 1500 Marilla Street, 5DN.

8. 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 Development 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]