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LANDMARK COMMISSION

CITY SECRETARY  
DALLAS, TEXAS

Monday, January 5, 2009

## AGENDA

BUS TOUR/SITE VISIT:	1607 Lyte Street, Magnolia Station and 1215 W. 7 <sup>th</sup> Street in the Winnetka Heights Historic District	10:30 a.m.
BRIEFINGS:	Dallas City Hall 1500 Marilla St., Room 5/E/S	11:00 a.m.
PUBLIC HEARING:	Dallas City Hall 1500 Marilla St., Council Chambers – 6 <sup>th</sup> 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 of Historic Preservation  
Kate Singleton, Chief Planner  
Jim Anderson, Sr. Planner Historic Preservation  
Tracey Cox, Planner Historic Preservation  
Mark Doty, Sr. Planner Historic Preservation  
Marcus Watson, Sr. Planner Historic Preservation

### **BUS TOUR/SITE VISIT**

The Commission will meet in room 5/E/S prior to boarding the bus to tour/site visit the above mentioned properties.

### **BRIEFING ITEMS**

1. Routine Maintenance, Certificates of Appropriateness, Certificates for Demolition and Removal, Certificates of Eligibility, Initiations and Designations, Discussion and Other Business Items.
2. Briefing/Update on the Preservation Plan, Kate Singleton.
3. Briefing/Update on the Historic Resource Survey, Kate Singleton
4. Landmark Commission Purpose Statement.

**CONSENT ITEMS**

1. **5915 Victor Street**  
Junius Heights  
CE089-007(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 \$16,598 in expenditures spent on rehabilitation within the three years prior to the CE approval.

**Applicant:** Evelyn Frazier

**Application Filed:** November 20, 2008

**Staff Recommendations:** Approval of the Certificate of Eligibility and approval of \$16,598 in expenditures spent on rehabilitation prior to the issuance of the Certificate of Eligibility.

**Task Force Recommendations:** N/A

2. **1611-1615 McKinney Avenue**  
Luna Tortilla Factory  
CE089-008(TC)

**Request:** A Certificate of Eligibility (CE) for a tax exemption on 100 percent of land and improvements for a period of ten years.

**Applicant:** Triton Downtown, LLC

**Application Filed:** December 17, 2008

**Staff Recommendations:** Approval of the Certificate of Eligibility.

**Task Force Recommendations:** N/A

3. **1407 E 9TH Street**  
Tenth Street  
CA089-149(TC)

**Request:** Addition to the rear of the structure.

**Applicant:** Billy Wormly

**Application Filed:** November 10, 2008

**Staff Recommendations:** Addition – Approve with Conditions – The proposed addition meets the requirements of Section 3.2 that states, "...additions to historic structures .. must be of appropriate massing, roof form, shape, materials, detailing, and color and have fenestration patterns and solid-to-void ratios that are typical to the historic structures". Staff recommends that the applicant be required to place a vertical board to delineate between the new structure and the existing house per section 3.5 that states, "connections between new and existing construction must be designed so that they are clearly discernible from the existing historic structures as suggested by the Secretary of the Interior Preservation Brief No. 14".

**Task Force Recommendations:** Addition – Approve with Conditions – Comments only: Applicant should install a board between the old and new additions to delineate between the old and the new structure.

**4. 917 Moreland Avenue**  
Peak's Suburban  
CA089-133(MD)

**Request:** 1) New side yard iron fence/gate, 8'-0", 70% open.  
2) Replace existing square columns with round columns.

**Applicant:** Ron Hardy

**Application Filed:** December 3, 2008

**Staff Recommendations:** 1) New side yard iron fence/gate, 8'-0", 70% open. – Approve - Approve drawings submitted with the finding of fact the proposed work is consistent with the criteria for site and site elements in the preservation criteria Sections 2.9, 2.11, 2.13 and 2.14, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).

2) Replace existing square columns with round columns. – Approve with Conditions - Approved as submitted with the conditions that either the new columns replicate the current, wood boxed columns or be replaced with three (3) new round, simple Doric columns with a smooth surface, wood, with a minimum diameter of 8" and a maximum diameter of 12", with a finding of fact that because the structure is non-contributing to the Historic overlay, the proposed work 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 and it meets the general standard in City Code Section 51A-4.501(g)(6)(C)(ii).

**Task Force Recommendations:** 1) New side yard iron fence/gate, 8'-0", 70% open. – Approve - As submitted.  
2) Replace existing square columns with round columns. – Approve -As submitted.

**5. 5812 Swiss Avenue**  
Swiss Avenue  
CA089-128(MW)

**Request:** 1) Construct new addition to the rear of the existing detached garage, per drawings.

2) Landscape and paving plan.

**Applicant:** Norman Alston

**Application Filed:** November 28, 2008

**Staff Recommendations:** 1) Construct new addition to the rear of the existing detached garage, per drawings. – Approve with Conditions - The new construction must meet all applicable development standards. If condition is met, the proposed work is consistent with the criteria for accessory structures and additions in Ordinance #18563, Section 14(a)(1-2), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

2) Landscape and paving plan. – Approve - The proposed work is consistent with the criteria for landscaping and paving in Ordinance #18563, Section 14(b)(1, 4 and 7), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

**Task Force Recommendations:** 1) Construct new addition to the rear of the existing detached garage, per drawings. - No members present.

2) Landscape and paving plan. - No members present.

**6. 1215 W 7<sup>th</sup> Street**  
Winnetka Heights  
CD089-014(JA)

*Site visit scheduled for this property*

**Request:** Demolish house. Standard - Noncontributing structure because newer than period of significance.

**Applicant:** Edwin Cabaniss

**Application Filed:** December 1, 2008

**Staff Recommendations:** Demolish house. – Approve -Demolish structure at 1215 West 7th. The proposed demolition meets all of the standards in City Code Section 51A-4.501(h)(4)(D). The structure is noncontributing to the historic overlay district; the structure is newer than the period of historic significance for the historic overlay district; and demolition of the structure will not adversely affect the historic character of the property or the integrity of the historic overlay district. The National Register District period of significance is 1900-1924. This structure was built in 1928. The structure is not in keeping with the architectural quality of the earlier structures. Many original windows, doors, and interior details have been removed. The structure was shoe-horned onto a substandard lot without the normal front yard setback or typical backyard. The demolition of the structure will facilitate parking that will facilitate the renovation of the Art Deco Stevens Theater into a dance school that will be an asset to the district.

**Task Force Recommendations:** Demolish house. – Approve with Conditions - Structure was built after the period of significance of the National Register District. However, the task force will review items case by case in the future. Current lot size would not support home being built on lot. Structure has no historic architecture in or out of house. Property on Davis is a signature property of both Davis and Winnetka Heights. Need for parking.

**7. 1301 W Davis Street**  
Winnetka Heights  
CA089-127(JA)

**Request:** Paint Exterior.

**Applicant:** Marco Hinojosa

**Application Filed:** November 26, 2008

**Staff Recommendations:** Paint Exterior. – Approve with Conditions - Paint brick structure previously painted. Repaint the original paint color or SW2843 Aurora Brown SW2837. The applicant has agreed to Aurora Brown. This color is found in Sherwin Williams Arts and Crafts collection. The proposed work is consistent with the criteria for paint color in the preservation criteria 18369 Section 9(a)(8)(C) and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

**Task Force Recommendations:** Paint Exterior. – Approve with Conditions - Repaint the original paint color, Roycroft Suede or Aurora Brown.

**8. 217 N Rosemont Avenue**  
Winnetka Heights  
CA089-140(JA)

**Request:** New garage.

**Applicant:** Charles Bobo

**Application Filed:** December 4, 2008

**Staff Recommendations:** New garage. – Approve - Construct garage as shown in attached plans. The proposed work is consistent with the criteria for accessory buildings in the preservation criteria 18369 Section 9(a)(1), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

**Task Force Recommendations:** New garage. – Approve - Garage proposed O.K.

**9. 418 N Rosemont Avenue**  
Winnetka Heights  
CA089-139(JA)

**Request:** Replace existing casement windows on back porch with six light windows with the mullions on the outside of the glass.

**Applicant:** Glen L. Jones

**Application Filed:** November 8, 2008

**Staff Recommendations:** Replace existing casement windows on back porch. – Approve - Replace non-historic casement windows with wood windows to match the existing with the mullions located on the outside of the glass. The proposed work is consistent with the criteria for windows in preservation criteria 18369 Section 9(17)(F)(iii), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i). The applicant has stated that the mullions will be located on the outside of the glass.

**Task Force Recommendations:** Replace existing casement windows on back porch. – Approve - Replacement windows as per CA request are O.K.

**10. 501 2<sup>nd</sup> Avenue**  
Hickory Street Annex  
CE089-009(TC)

**Request:** A Certificate of Eligibility (CE) for a tax exemption on 100% of land and improvements for a period of 10 years and approval of \$170,438 in expenditures spent on rehabilitation within the three years prior to the CE approval.

**Applicant:** Gary Kaelson

**Application Filed:** December 19, 2008

**Staff Recommendations:** Approval of the Certificate of Eligibility and approval of \$170,438 in expenditures spent on rehabilitation prior to the issuance of the Certificate of Eligibility.

**Task Force Recommendations:** N/A

**DISCUSSION ITEMS**

1. **1607 Lyte Street**  
Magnolia Station  
CD089-013(MD)

*Site visit scheduled for this property*

**Request:** Magnolia Station - Demolish Building F using standard 'No Economically Viable Use'.

**Applicant:** Bennett Miller Company

**Application Filed:** December 4, 2008

**Staff Recommendations:** Magnolia Station - Demolish Building F using standard 'No Economically Viable Use'. – Deny - The proposed demolition does not meet the standards in City Code Section 51A-4.501(h)(4)(B) because based on the Economic Review Panel's review; the owner has not shown that the structure is incapable of earning a reasonable economic return unless the demolition or removal is allowed (a reasonable economic return does not have to be the most profitable return possible), the structure cannot be adapted for any other use, whether by the owner or by a purchaser, which would result in a reasonable economic return and that the owner has failed during the last two years to find a developer, financier, purchaser, or tenant that would enable the owner to realize a reasonable economic return, despite having made substantial ongoing efforts to do so.

**Task Force Recommendations:** Magnolia Station - Demolish Building F using standard 'No Economically Viable Use'. - Deny without Prejudice - Based upon the demolition was not supported by the findings of the Economic Review Panel and there is no existing plan for the use of the property if demolition was allowed.

2. **1105 E 10<sup>th</sup> Street**  
Tenth Street  
CA089-120(TC)

**Request:** Install a window in place of a previous bay window

**Applicant:** Gabriel Rodriguez

**Application Filed:** November 17, 2008

**Staff Recommendations:** Window – Approve with Conditions - The request is to install a window where the bay window was previously located. The window that is currently installed is not appropriate to the historic district and must be removed. In the 10th Street historic district, the "front and side facades are protected facades". According to the Sanborn Maps and street view pictures taken in 2006, staff knows for a fact there was a bay window on the side of this house. According to the applicant, when he acquired the property, the bay window had already been removed and there was only a boarded over hole in the wall with 2 posts. The applicant is not sure what the bay window looked like before it was removed. The applicant has been very amenable to restoring alterations made. Staff has concerns that there is not sufficient documentation of the window prior to removal and no one can determine the details, design or dimensions including: how many windows were there? How deep was it? Did it go from the ground to the roof? Was it cantilevered? Staff has concerns about rebuilding an architectural feature that we are unsure what it looked like to begin with and cannot accurately determine original details and dimensions. If the Commission concurs, and are troubled by rebuilding architectural features without sufficient documentation, staff would recommend

that a wood 1/1 window to match the size and framing of the windows on the front façade be installed in place of the bay window. This would have the finding of fact that the Secretary of the Interior Standard #6 says that "Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence". If the Commission finds that there is documentation that justifies the restoration of the bay window, staff asks that the Commission deny without prejudice so that staff can work with the applicant regarding how they hope to create the bay window and so it can be decided what the bay window will look like if built. Staff will work with the applicant to ensure the case comes before the Commission again at the February Commission hearing.

**Task Force Recommendations:** Window – Approve with Conditions - Comments only: Due to the finding of fact that there is not documentation re: the size / configuration of the previously removed bay window, Task Force recommends a wood 1/1 window be installed. The window should match the size of the windows on the front façade.

**3. 212 Landis Street**  
Tenth Street  
CA089-150(TC)

**Request:** 1) Install a mailbox structure in the front yard.

2) Install a fence.

**Applicant:** Gloria Herrera

**Application Filed:** December 4, 2008

**Staff Recommendations:** 1) Install a mailbox structure in the front yard. – Deny without Prejudice - The proposed work does not meet the standards in City Code Section 51A-4.501(g)(6)(C)(i) on the basis that the installation of the mailbox would have an adverse effect on the historic overlay district. Section 1.1 in the preservation criteria says that "new construction is prohibited in all front yards within the district". Section 1.6 speaks to the idea that site elements in the front yards must be "appropriate and compatible, must enhance the structure and the surroundings, and must not obscure significant views of the main building". The proposed mailbox is prominent in the front yard and detracts from the aesthetic of the streetscape.

2) Install a fence. – Approve with Conditions - The application is approved with the condition that it comply with section 1.11 that "side yard fences above 3'6" must be located a minimum of 10 feet back from the front façade of the main building".

**Task Force Recommendations:** 1) Install a mailbox structure in the front yard. – Approve with Conditions - Comments only: Existing mailbox is not compatible with the historic district. Recommend that a mail box that is mounted on a stick, a box attached to the house or a mail slot be installed.

2) Install a fence. – Approve - Comments only: The application does not quite meet the criteria in section 1.11 but due to safety concerns, allow this fence in this location.

4. **317 S Clinton Avenue**  
Winnetka Heights  
CA089-138(JA)

**Request:** 1) Install french doors on rear.  
2) New aluminum windows.

**Applicant:** Robert Alvarado

**Application Filed:** December 3, 2008

**Staff Recommendations:** 1) Install french doors on rear. – Approve – Rear french doors as shown in attached photos. The proposed work is consistent with the criteria for doors in the preservation criteria 18369 Section 9(a)(17) The criteria does not require rear doors to be typical. Staff supports the internal blinds on the rear of the structure, and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

2) New aluminum windows. – Deny without Prejudice - New replacement windows. The proposed work is not consistent with the criteria for windows in the preservation criteria 18369 Section 9(a)(17)(F)(iii) and (iv). The criteria requires windows to be typical, in this case wood. Windows must fit the window opening and the two ganged window units must be separated by a 1X6 or 1X8 and trimmed with window casing typical to the structure.

**Task Force Recommendations:** 1) Install french doors on rear. – Deny - Proposed removal of metal french doors for wood doors. When replacing any windows the replacement windows must be wood.

2) New aluminum windows. – Deny - Replacement windows must be wood.

5. **300 S Edgefield Avenue**  
Winnetka Heights  
CA089-137(JA)

**Request:** 1) Restore front porch deck and add new columns and railing.

2) Replace aluminum windows with one-over-one wood windows.

3) Replace front entry door and side lights.

4) Paint exterior.

**Applicant:** Glenn Phillips

**Application Filed:** December 4, 2008

**Staff Recommendations:** 1) Restore front porch deck. – Approve with Conditions - Reconstruct original wrap around porch as shown in attached plans. Submit documentation that this was actually a wrap around porch and not a porte-cochere. The proposed work is consistent with the criteria for front porches in the preservation criteria 18369 Section 9(a)(11)(E), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i). Handrail as shown in photos. Columns to remain brick as existing. Further documentation is required to replace brick columns with wood.

2) Replace aluminum windows. – Approve with Conditions - The proposed work is consistent with the criteria for windows in the preservation criteria 18369 Section 9(a)(17)(F), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i). If there is evidence of a single window on the first floor then the recommendation is to go with one single window. If there is evidence of two windows originally then the two windows should be ganged. A 1X 6 or 1X 8 should be between the two window units.



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Monday, January 5, 2009

Submit more information such as photos of interior framing to assist in determining if there were one or two windows in this location. There is evidence that the center window on the bay may have been a one-sash window located high up which was typical to dining rooms at this time. Submit additional documentation and consider this type of window.

3) Replace front entry door and side lights. – Approve with Conditions - New door and sidelights. New door and sidelights. Approval of option 1. The proposed work is consistent with the criteria for front doors in the preservation criteria 18369 Section 9(a)(17)(F)(iii), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i). If sidelights are original, they should be retained. The door proposed can be installed retaining the existing sidelights.

4) Paint exterior. – Approve - The proposed work is consistent with the criteria for color in the preservation criteria 18369 Section 9(a)(8)(C), and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i). Approval of paint colors option #1: Body Craftsman Brown SW 2835, Trim Roycroft Vellum SW 2833 and Accent Quartersawn Oak SW2836 or option #2: Body Birdseye maple SW 2834, Trim Roycroft Vellum SW 2833, Accent Weathered Shingle SW2841 with the addition optional accent Aurora Brown SW2837 for both options.

**Task Force Recommendations:** 1) Restore front porch deck. – Approve - Proposed extension of porch with wrap around O.K. with tongue and groove wood floor to cap concrete.

2) Replace aluminum windows. – Approve with Conditions - If there is evidence of a single window on the first floor then the recommendation is to go with one single window. If there is evidence of two windows originally then the two windows should be ganged.

3) Replace front entry door and side lights. – Approve - Approval of option 1 for door and side lights. If there is evidence of a single window on the first floor then the recommendation is to go with one single window. If there is evidence of two windows originally then the two windows should be ganged.

4) Paint exterior. – Approve - Approval of paint colors option #1 or option #2 with the addition optional second accent.

## **OTHER BUSINESS ITEMS**

- 1) December 1, 2008 Minutes.
- 2) Landmark Commission Purpose Statement.
- 3) Update on the Preservation Plan, Kate Singleton.
- 4) Update on the Historic Resource Survey, Kate Singleton.
- 5) **The Landmark Commission Designation Committee** are scheduled to meet on the following dates:  
Thursday, January 8, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N.  
Thursday, January 15, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N.  
Thursday, January 22, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N.  
Thursday, January 29, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N.  
Thursday, February 5, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N.  
Thursday, February 12, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N.  
Thursday, February 19, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N.  
Thursday, February 26, 2009, 5:45 p.m., Dallas City Hall, Room 5/D/N.  
Note: The official Designation Committee Agenda will be posted in the City Secretary's Office and City Website at [www.ci.dallas.tx.us/cso/boardcal.shtml](http://www.ci.dallas.tx.us/cso/boardcal.shtml). Please review the official agenda for location and time.
- 6) **The Landmark Commission Preservation Plan Committee** is scheduled to meet on Tuesday, January 13 and 20, 2009. Location and Time: TBD  
Note: The official Committee Agenda will be posted in the City Secretary's Office and City Website at: [www.ci.dallas.tx.us/cso/boardcal.shtml](http://www.ci.dallas.tx.us/cso/boardcal.shtml). Please review the official agenda for location and time.
- 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 Development Services, 1500 Marilla Street, 5/c/n, Dallas, Texas, from Luann Taylor.*

## **ADJOURNMENT**

**EXECUTIVE SESSION NOTICE**

*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]*