



CITY OF DALLAS

May 6, 2024

**Via Certified Mail: 9589 0710 5270 0446 4350 29**

Barrett Linburg  
6060 N Central Expwy.  
#770  
Dallas, TX 75206

RE: Appeal of Certificate of Appropriateness:  
Hearing – April 1, 2024  
1001 N Crawford St., Case No. CA234-246(MW)

Dear Barrett Linburg:

We have received your correspondence appealing the Landmark Commission's denial without prejudice of a Certificate of Appropriateness application for 1001 N Crawford. Please be advised that the City Plan Commission hearing for **this appeal is scheduled for Thursday, June 6, 2024.** The City Plan Commission meeting will be held in person and by video conference. Individuals who wish to speak, remotely via WebEx, in accordance with the City Plan Commission Rules of Procedure, should contact the Current Planning division at 214-670-4209 by the close of business Tuesday prior to the scheduled CPC Meeting date. Individuals can also register online at:

<https://dallascityhall.com/government/meetings/Pages/city-plan-commission.aspx>.

Public Affairs and Outreach will also stream the public hearing on Spectrum Cable Channel 96 or Channel 99 and [bit.ly/cityofdallastv](http://bit.ly/cityofdallastv) or [YouTube.com/CityofDallasCityHall](http://YouTube.com/CityofDallasCityHall).

The appeal of the decision of the Landmark Commission regarding the application for a Certificate of Appropriateness is a quasi-judicial action. No communication with City Plan Commission members may occur outside the hearing of **June 6, 2024.**

The Dallas Development Code, Section 51A-4.501(H) provides the procedures applicable to a Certificate of Appropriateness appeal. For your convenience, I have enclosed a copy of the ordinance containing the applicable section and a copy of the Appeal Procedures.

Barrett Linburg  
6060 N Central Expwy,  
#770  
Dallas, TX 75206

Included with this letter is the Landmark Commission record and other related paperwork. The Landmark Commission record includes all documents related to your specific case including a transcript of the April 2024 Landmark Commission hearing. As mentioned in the email sent April 9, 2024, should you wish to provide the City Plan Commission a brief on the matter, submit a copy to me at Dallas City Hall, 1500 Marilla Street, Room 5BN, Dallas, TX 75201 or to [phyllis.hill@dallas.gov](mailto:phyllis.hill@dallas.gov) by **5:00 p.m. Wednesday, May 15, 2024**. I will then distribute a copy of your brief to the City Plan Commission. I will also send you a copy of the brief by the Assistant City Attorney's office.

You may contact me @ 214-670-4206 or email me at [Phyllis.hill@dallas.gov](mailto:Phyllis.hill@dallas.gov) if there are any questions regarding the deadline dates. You are encouraged to contact Assistant City Attorney Daniel Moore at 214-670-7027 should you have any questions regarding the format of the City Plan Commission hearing or other related matters.

Respectfully,



Elaine Hill  
Coordinator  
Landmark Commission  
Historic Preservation

cc: Kate Singleton, Chief Preservation Planner  
Arturo Del Castillo, Assistant Director, Historic Preservation  
Daniel Moore, Assistant City Attorney  
Theresa Carlyle, Assistant City Attorney  
Justin Roy, Assistant City Attorney  
Marcus Watson, Senior Planner,  
Historic Preservation

# **THE RECORD**

1001 N CRAWFORD ST  
APPEAL  
CA234-246 (MW)

City Plan Commission  
Hearing  
06/06/2024

VIA CERTIFIED MAIL 9589 0710 5270 0446 4350 29

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1001 N Crawford Street CA234-246(MW)

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# SECTION 1

Certificate of Appropriateness

1001 N Crawford Street  
CA234-246(MW)

# Certificate of Appropriateness (CA) City of Dallas Landmark Commission

CA 234 - 246 ( MW )

OFFICE USE ONLY

Name of Applicant: Barrett Linburg

Mailing Address: 6060 N Central Expressway, Suite 770

City, State and Zip Code: Dallas, TX 75206

Daytime Phone: 214-789-6624 Alternate Phone: 214-432-1737

Relationship of Applicant to Owner : Owner

PROPERTY ADDRESS: 1001 N Crawford

Historic District: Lake Cliff

**OFFICE USE ONLY**

Main Structure:

Contributing

Non-contributing

## PROPOSED WORK:

List all proposed work simply and accurately, use extra sheet if needed. Attach all documentation specified in the submittal criteria checklist for type of work proposed. **DO NOT** write "see attached."

Replace all existing aluminum windows with Alside 1700-Series Vinyl Beige Windows

## EMAIL ADDRESS:

Signature of Applicant:  Date: 3/5/24

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(IF NOT APPLICANT)

## APPLICATION DEADLINE:

Application material must be **completed and submitted by the FOURTH MONDAY OF EACH MONTH BY 12:00 NOON, (see official calendar for exceptions)**, before the Dallas Landmark Commission can consider the approval of any change affecting the exterior of any building. Provide this form along with applicable fees, and any supporting documentation must be filed with a Preservation Planner at City Hall, 1500 Marilla 5BN, Dallas, Texas, 75201. You may submit by email to Historicpreservation@dallas.gov. Please write your address and district in the email subject line.

**Please use the enclosed criteria checklist as a guide to complete the application.** Incomplete applications cannot be reviewed and will be returned to you for more information. You are encouraged to contact a Preservation Planner to ensure your application is complete. Click on the following link to the City of Dallas website for contact information:

<https://dallascityhall.com/departments/sustainabledevelopment/historicpreservation/Pages/Contacts.aspx>

## OTHER:

**In the event of a denial, you have the right to an appeal within 30 days** after the Landmark Commission's decision. You are encouraged to attend the Landmark Commission hearing the first Monday of each month at 1:00 pm in Council Chambers of City Hall (**see exceptions**). Information regarding the history of past certificates of appropriateness for individual addresses is available for review in 5BN of City Hall.

# Certificate of Appropriateness (CA)

## City of Dallas Landmark Commission

### Application Fee Schedule

**Chapter 51A Dallas Development Code: Ordinance No. 19455, as amended Subsection aa: Fees for Landmark Commission Applications.**

1. An application will not be processed until the fee has been paid.
2. The applicant shall pay the filing fee to the building official. The building official shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.
3. The city controller shall refund 75 percent of the filing fee to the applicant if the applicant withdraws the application prior to the case being advertised for hearing. After the case is advertised, no refund of the filing fee may be made. Please contact a Preservation Planner for refund request inquiries.
4. Fee Schedule.

Type of Application	Application Fee	Office Use Only – Payment Received
Certificate of appropriateness for new construction	\$500	Date: Receipt No.
Certificate of appropriateness/certificate of demolition or removal for unauthorized work *	\$600	Date: Receipt No.

\*For unauthorized work – new construction only -For all other see Certificate for Demolition and Removal application.

5. The applicant shall pay a single filing fee for each certificate of appropriateness of certificate of demolition or removal for unauthorized work.
6. Make checks Payable to City of Dallas – note OHP application type in memo of check. Mail or bring to Dallas City Hall, 1500 Marilla Street, Room 5BN, Dallas, Texas 75201. The District Planner will provide payment options and instructions.
7. The landmark commission may waive the filing fee if the landmark commission finds that payment of the fee would result in substantial financial hardship be placed on the landmark commission's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not file the application until the merits of the request for waiver have been determined by the landmark commission. In making this determination, the landmark commission may require the production of financial documents.

Please review the enclosed Review and Action Form

**Memorandum to the Building Official, a Certificate of Appropriateness has been:**

- APPROVED.** Please release the building permit.
- APPLICANT REQUEST FOR WITHDRAWAL, 75% REFUND APPROVED: DATE**
- APPLICANT REQUEST FOR WITHDRAWAL WITHOUT REFUND: DATE**
- APPROVED WITH CONDITIONS.** Please release the building permit in accordance with any conditions.
- DENIED.** Please do not release the building permit or allow work.
- DENIED WITHOUT PREJUDICE.** Please do not release the building permit or allow work.

Signed drawings and/or specifications are enclosed  Yes

*Marcus Watson*

04/01/24

Office of Historic Preservation

# SECTION 2

## Landmark Commission Agenda

April 1, 2024

See Pages 10 - 11 Item #2



Landmark Commission Agenda  
Monday, April 1, 2024

Department, and City Attorney for compliance with Highway Beautification Act.

**DISCUSSION ITEMS:**

**1. 1462 1ST AVE**

Fair Park Historic District  
CA234-252(RD)  
Rhonda Dunn

**Request:**

A Certificate of Appropriateness to install a new outdoor carousel (in the west, side yard of the Children's Aquarium).

**Applicant:** Norman Alston

**Application Filed:** 03/07/2024

**Staff Recommendation:**

That the request for a Certificate of Appropriateness to install a new outdoor carousel (in the west, side yard of the Children's Aquarium) be approved in accordance with drawings and specifications dated 3/21/2024 with the following condition: that final colors, finishes and amusement signage must be submitted for Landmark Commission review prior to commencement of work. Implementation of the recommended condition would allow the proposed work to be consistent with preservation criteria Sections 5.2(b)(5)(D) and 5.2(b)(5)(F) pertaining to the Lagoon; the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards for Rehabilitation.

**Task Force Recommendation:**

That the request for a Certificate of Appropriateness to install a new outdoor carousel (in the west, side yard of the Children's Aquarium) be approved with the following comments and conditions:

1. Approved concept of adding a carousel to this location.
2. Approved proposed location, layout and fencing on the site.
3. Confirm ADA seating will be provided on carousel.
4. Confirm stabilized DG (decomposed granite) material will be ADA accessible and edging be provided.
5. Final colors, finishes and signage to be approved under a separate CA.

**Request:**

A Certificate of Appropriateness to replace all existing windows (non-historic) with Alside 1700-Series vinyl windows in "beige" color.

**Owner:** Linburg, Barrett

**Filed:** 03/07/2024

**Staff Recommendation:**

**2. 1001 N CRAWFORD ST**

Lake Cliff Historic District  
CA234-246(MW)  
Marcus Watson

**Landmark Commission Agenda  
Monday, April 1, 2024**

That the request for a Certificate of Appropriateness to replace all existing windows (non-historic) with Alside 1700-Series vinyl windows in "beige" color be approved with the condition that the new windows be all wood inside and out, no vinyl and no cladding, and be submitted for final staff approval, with the finding that vinyl windows are not compatible with the historic overlay district and would constitute an adverse effect on the district. Implementation of the condition would allow the proposed work to be consistent with the preservation criteria Sections 5.2 and 5.3; the standards in City Code Section 51A-4.501(g)(6)(c)(ii) for noncontributing structures; and the Secretary of the Interior's Standards.

**Task Force Recommendation:**

That the request for a Certificate of Appropriateness to replace all existing windows (non-historic) with Alside 1700-Series vinyl windows in "beige" color be approved. Many precedents for vinyl windows on other properties in the district. Wood windows pose a large financial burden on applicant, no historic tax credits for property.

**3. 5521 SWISS AVE**

Swiss Avenue Historic District  
CA234-256(CM)  
Christina Mankowski

**Request:**

A Certificate of Appropriateness to change paint color of main structure for all wood trim to Sherwin Williams "Iron Ore".

**Owner:** Pederson, Eric

**Filed:** 03/07/2024

**Staff Recommendation:**

That the request for a Certificate of Appropriateness to change paint color of main structure for all wood trim to Sherwin Williams "Iron Ore" be denied without prejudice as the color "Iron Ore" is not historically characteristic of the Federal Colonial Architectural Style and is not complimentary to the character of the main structure. The proposed work is inconsistent with preservation criteria Section 51P-63.116(1)(H)(iii); the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards.

**Task Force Recommendation:**

That the request for a Certificate of Appropriateness to change paint color of main structure for all wood trim to Sherwin Williams "Iron Ore" be approved.

**4. 1223 BOSWELL ST**

Tenth Street Neighborhood Historic District  
CD234-007(RD)  
Rhonda Dunn

**Request:**

A Certificate of Demolition to demolish a main residential building; using the standard: imminent threat to public health or safety. (Unauthorized Work)

# SECTION 3

CA234-246(MW)  
Docket Material



CITY OF DALLAS

**LANDMARK COMMISSION**

**APRIL 1, 2024**

FILE NUMBER: CA234-246(MW)  
LOCATION: 1001 N. Crawford St.  
STRUCTURE: Noncontributing  
COUNCIL DISTRICT: 1  
ZONING: PD-468

PLANNER: Marcus Watson  
DATE FILED: March 7, 2024  
DISTRICT: Lake Cliff (H-84)  
MAPSCO: 44-Z, 54-D  
CENSUS TRACT: 0020.00

**APPLICANT:** Linburg, Barrett

**REPRESENTATIVE:** N/A

**OWNER:** Devonshire Ventures LLC

**REQUEST(S):**

A Certificate of Appropriateness to replace all existing windows (non-historic) with Alside 1700-Series vinyl windows in "beige" color.

**STAFF RECOMMENDATION:**

That the request for a Certificate of Appropriateness to replace all existing windows (non-historic) with Alside 1700-Series vinyl windows in "beige" color be approved with the condition that the new windows be all wood inside and out, no vinyl and no cladding, and be submitted for final staff approval, with the finding that vinyl windows are not compatible with the historic overlay district and would constitute an adverse effect on the district. Implementation of the condition would allow the proposed work to be consistent with the preservation criteria Sections 5.2 and 5.3; the standards in City Code Section 51A-4.501(g)(6)(c)(ii) for noncontributing structures; and the Secretary of the Interior's Standards.

**TASK FORCE RECOMMENDATION:**

That the request for a Certificate of Appropriateness to replace all existing windows (non-historic) with Alside 1700-Series vinyl windows in "beige" color be approved. Many precedents for vinyl windows on other properties in the district. Wood windows pose a large financial burden on applicant, no historic tax credits for property.

**BACKGROUND / HISTORY:**

1001 N. Crawford is a U-shaped multi-family complex constructed in the late 1940s and is considered noncontributing to the Lake Cliff Historic District. Last month, the Commission approved (with conditions) a proposal to restore the faux entry “balconies”, replace the front doors, replace the windows, remove the shutters, paint the trim and doors, replace the front step railings, replace the lights over the front doors, and replace the lights beside the rear doors.

The approval for the window replacement came with a condition that the windows be wood, not vinyl. The applicant is re-applying for vinyl windows in the hopes to make the case for vinyl.

Previous applications for Certificates of Appropriateness (or Demolition) filed for this property that are pertinent to this CA include:

<u>CASE NUMBER</u>	<u>REVIEW TYPE</u>	<u>DATE</u>	<u>OWNER</u>	<u>DECISION</u>
CA234-190(MW)	Standard	3/4/24	1001 Crawford LLC	Approved w/ Cond.
Replace all windows (non-historic) with vinyl windows in “beige” color.				
Condition: That the windows be wood inside-and-out, no cladding and no vinyl.				

**RELEVANT PRESERVATION CRITERIA:**

1. Lake Cliff Historic District (H-84); Ordinance No. 23328: Criteria 5.2 and 5.3
2. Secretary of the Interior’s Standards for Setting (District/Neighborhood)
3. City Code Section 51A-4.501(g)(6)(C)(ii) for noncontributing structures.

## PROJECT DESCRIPTION AND ANALYSIS:

A Certificate of Appropriateness to replace all windows (non-historic) with 1-over-1 vinyl windows in "beige" color.

The existing windows are likely not original. Therefore, it is reasonable to replace them with appropriate windows. **This is the basis for an approval with conditions as opposed to a denial, which satisfies preservation criterion 5.2.** While the existing windows are circa 1960s and not historic, the building dates to the late 1940s. The 1-over-1 configuration is acceptable, but staff again recommends wood instead of vinyl. While the building may be noncontributing, a general rule of thumb traditionally used is to not make a noncontributing structure *more* noncontributing.

### City Code Section 51A-4.501(g)(6)(C)(ii)

The standard for approval under City Code Section 51A-4.501(g)(6)(C)(ii) is that the Landmark Commission must find that the proposed work is "**compatible**" with the historic overlay district. The appropriate windows for a 1940s building would be wood, which would also make them compatible with other 1940s buildings in the district. Vinyl windows are not "compatible" in an historic district as it is not a material appropriately used in the district, regardless of whether a building is contributing or non-contributing.

### Secretary of the Interior's Standards for Setting (District/Neighborhood)

The SOI Standards state:

- **Not Recommended:** *Removing or substantially changing those building and landscape features in the setting which are important in defining the historic character so that, as a result, the character is diminished.*
- **Not Recommended:** *Removing a character-defining feature of the building or landscape from the setting that is unrepairable and not replacing it or replacing it with a new feature the does not match.*

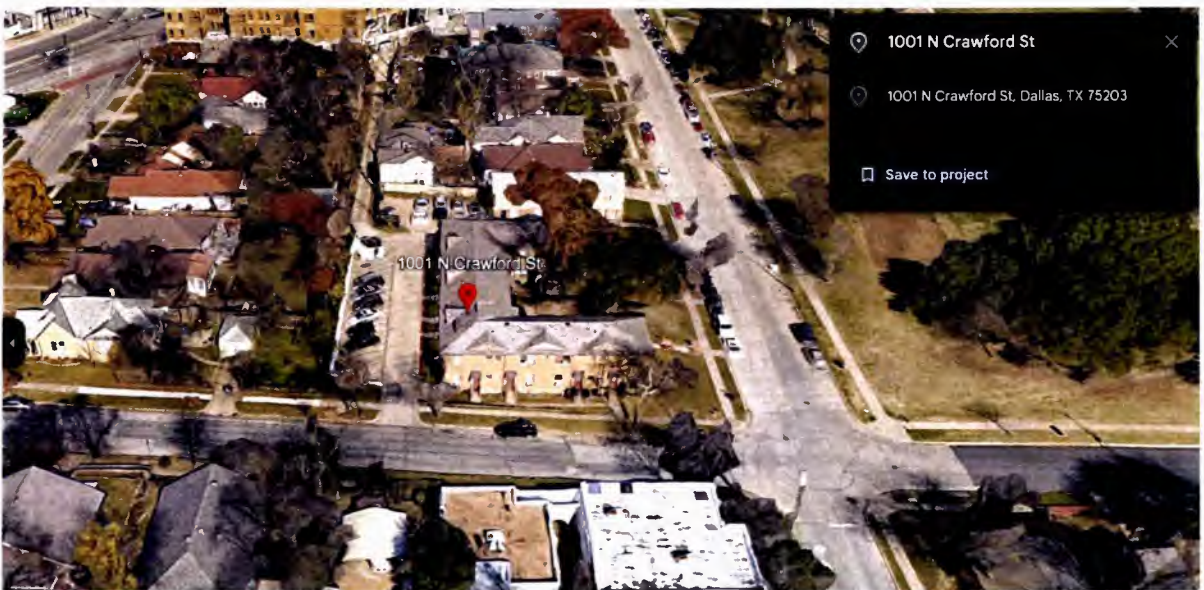
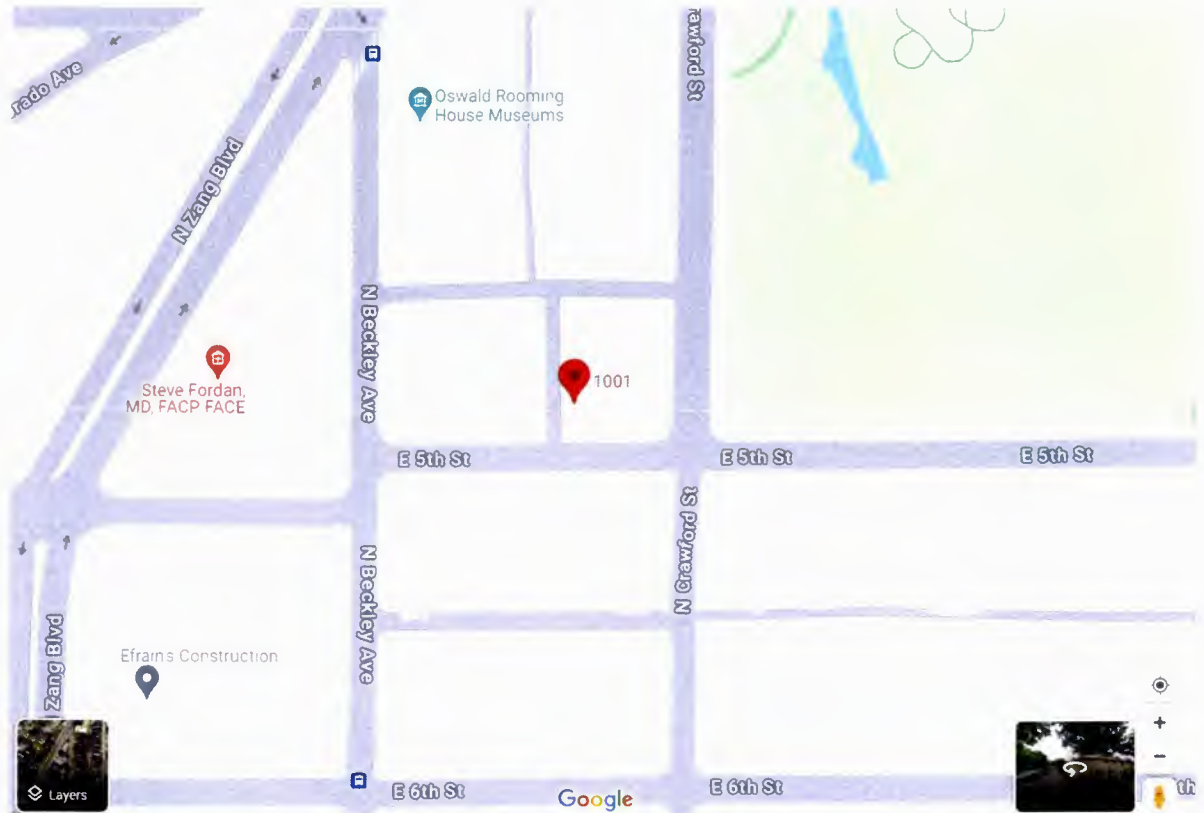
Windows, both their design AND their material are generally deemed by best preservation practice as character-defining features of both individual buildings and the fabric of entire historic districts. **Therefore, vinyl windows do not meet this standard. Wood windows would satisfy this standard as well as preservation criterion 5.3 for material.**

Finally, the preservation criteria under City Ordinance 23328 for Lake Cliff Historic District state that the Commission should only approve work that does not strictly comply with the criteria upon a finding that a) the proposed work is historically accurate and is consistent with the spirit and intent of these preservation criteria; and b) the proposed work will *not adversely affect* the historic character of the property or the integrity of the historic district.

**LOCATION MAPS**

1001 N. Crawford St.

Source: Google Earth



**CURRENT PHOTOS**  
1001 N. Crawford St.





**ATTACHMENTS:**

- **Task Force Recommendation Form**
  - **Certificate of Appropriateness Application**
-

**TASK FORCE RECOMMENDATION REPORT**  
Winnetka Heights and Lake Cliff Historic Districts

DATE: 3/13/2024  
TIME: 4:00 p.m.  
LOCATION: Hybrid Virtual/2922 Swiss Ave

---

Applicant Name: Barrett Linburg  
Address: 1001 N. Crawford  
Request Type: CA

Request: Replace all windows (nonhistoric) with new vinyl windows.

Recommendation:

Approve       Approve with conditions       Deny w/o prejudice       Deny

Comments:

Many precedents for vinyl windows on other properties in the district. Wood windows pose a large financial burden on applicant, no historic tax credits for property.

---

Task force members present:

Christine Escobedo       Alfred Pena (Vice-chair)  
 Mia Ovcina       Troy Sims  
 Caitlin Parish       Michelle Walker (Chair)

Ex Officio staff members present:  Marcus Watson

Quorum:  Yes  No (four makes a quorum)

Maker: Ovcina      2<sup>nd</sup>: Walker  
FOR: 5      AGAINST: 0  
Basis for opposition:

# Certificate of Appropriateness (CA)

## City of Dallas Landmark Commission

CA \_\_\_\_\_ - \_\_\_\_\_ ( )

**OFFICE USE ONLY**

Name of Applicant: Barrett Linburg  
**Mailing Address:** 6060 N Central Expressway, Suite 770  
 City, State and Zip Code: Dallas, TX 75206  
 Daytime Phone: 214-789-6624 Alternate Phone: 214-432-1737  
 Relationship of Applicant to Owner : Owner


<b>OFFICE USE ONLY</b>	
<b>Main Structure:</b>	
<input type="checkbox"/>	Contributing
<input type="checkbox"/>	Non-contributing

**PROPERTY ADDRESS:** 1001 N Crawford  
**Historic District:** Lake Cliff

**PROPOSED WORK:**  
 List all proposed work simply and accurately, use extra sheet if needed. Attach all documentation specified in the submittal criteria checklist for type of work proposed. **DO NOT write "see attached."**

Replace all existing aluminum windows with Alside 1700-Series Vinyl Beige Windows

**EMAIL ADDRESS:**

Signature of Applicant:  Date: 3/5/24  
 Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
 (IF NOT APPLICANT)

**APPLICATION DEADLINE:**

Application material must be **completed and submitted by the FOURTH MONDAY OF EACH MONTH BY 12:00 NOON, (see official calendar for exceptions),** before the Dallas Landmark Commission can consider the approval of any change affecting the exterior of any building. Provide this form along with applicable fees, and any supporting documentation must be filed with a Preservation Planner at City Hall, 1500 Marilla 5BN, Dallas, Texas, 75201. You may submit by email to Historicpreservation@dallas.gov. Please write your address and district in the email subject line.

**Please use the enclosed criteria checklist as a guide to complete the application.** Incomplete applications cannot be reviewed and will be returned to you for more information. You are encouraged to contact a Preservation Planner to ensure your application is complete. Click on the following link to the City of Dallas website for contact information:

<https://dallascityhall.com/departments/sustainabledevelopment/historicpreservation/Pages/Contacts.aspx>

**OTHER:**  
**In the event of a denial, you have the right to an appeal within 30 days** after the Landmark Commission's decision. You are encouraged to attend the Landmark Commission hearing the first Monday of each month at 1:00 pm in Council Chambers of City Hall (**see exceptions**). Information regarding the history of past certificates of appropriateness for individual addresses is available for review in 5BN of City Hall.

COA— \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Date Received: \_\_\_\_\_

Received by: \_\_\_\_\_

## Window Survey Form

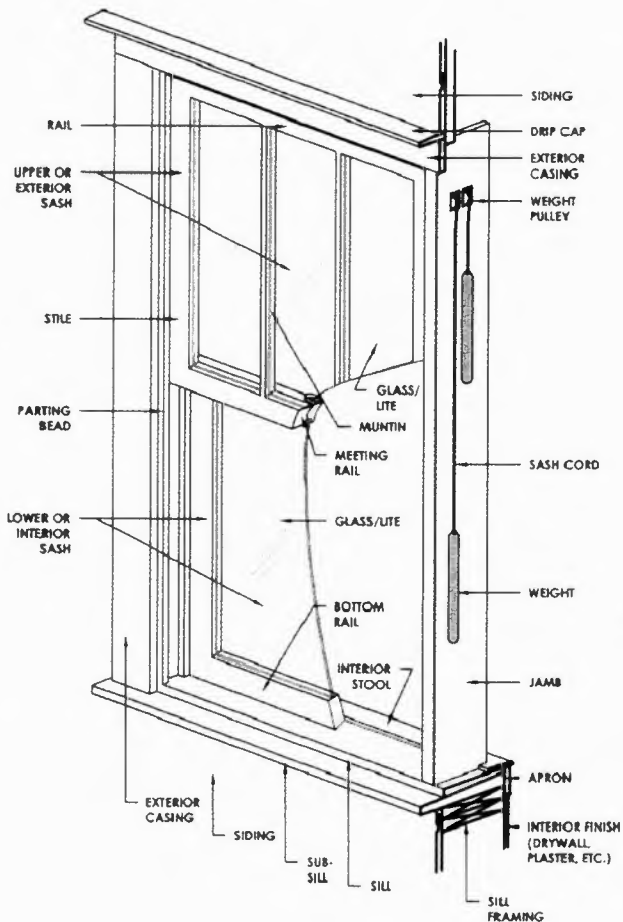
Have	Basic Requirements
<input checked="" type="checkbox"/>	1. Photographs or drawing of each elevation of the structure, with all the window openings on each elevation numbered.
<input checked="" type="checkbox"/>	2. Photographs of each window opening <i>numbered</i> corresponding to the photographs or drawings from #1.
<input checked="" type="checkbox"/>	3. Condition Evaluation of each window (see reverse).
<input checked="" type="checkbox"/>	4. Proposed window design (casement, fixed, etc.) , pattern (3/1, 6/6, 1/1, etc.) , materials (wood, vinyl, clad, etc.), etc. Specify if different for certain openings.
<input checked="" type="checkbox"/>	5. Proposed window product brochure/information that includes the company's depiction or photograph (not wind load information) of actual windows. We need to know what they look like on the exterior.
<input type="checkbox"/>	6. Other _____

**ALL window openings** on the structure should be assigned a **number** and **described** under the same number on the back of this sheet. Even those not being replaced should be assigned a number, however a photograph of those windows is not necessary, note on the second page that you aren't looking to replace that window number.

Windows in **pairs** or **groupings** should be assigned **separate** numbers. Windows in dormers and small fixed windows *should* also be included, but *not* door sidelights or transoms associated with a door.

On the second page, describe the issues and conditions of *each* window in detail, referring to the specific parts of the window (see diagram to the left). The photographs can be from the interior, exterior, or both. *Additional close-up photographs*, showing evidence of window condition, **MUST** be provided to better document problem areas.

The Planning and Development Department's evaluation and recommendation is based on deterioration/damage to the window unit, and associated trim. Broken glass and windows that are painted shut are not necessarily grounds for approving replacement.



Total Number of Window Openings on the Structure	87
Number of Historic Windows on the Structure	0
Number of Existing Replacement/Non-Historic Windows	87
Number of Windows Completely Missing	—
Total Number of Windows to be Replaced	87

COA— \_\_\_\_\_  
Applicant Name: \_\_\_\_\_

Date Received: \_\_\_\_\_  
Received by: \_\_\_\_\_

## Window Survey Form—Window Condition Report

Window #	Window Condition
A.1	NOT FULLY OPERABLE
A.2	NOT FULLY OPERABLE
A.3	NOT FULLY OPERABLE
A.4	NOT FULLY OPERABLE
A.6	NOT FULLY OPERABLE
A.7	NOT FULLY OPERABLE
A.8	NOT FULLY OPERABLE
A.9	NOT FULLY OPERABLE
A.10	NOT FULLY OPERABLE
A.11	NOT FULLY OPERABLE
A.12	NOT FULLY OPERABLE
A.13	NOT FULLY OPERABLE
A.14	NOT FULLY OPERABLE
A.15	NOT FULLY OPERABLE
A.16	NOT FULLY OPERABLE
A.17	NOT FULLY OPERABLE
A.18	NOT FULLY OPERABLE
A.19	NOT FULLY OPERABLE
A.20	NOT FULLY OPERABLE
A.21	NOT FULLY OPERABLE

Window #	Window Condition
A.22	NOT FULLY OPERABLE
A.23	NOT FULLY OPERABLE
A.24	NOT FULLY OPERABLE
A.25	NOT FULLY OPERABLE
A.26	NOT FULLY OPERABLE
A.27	NOT FULLY OPERABLE
A.28	NOT FULLY OPERABLE
A.29	NOT FULLY OPERABLE
A.30	NOT FULLY OPERABLE
A.31	NOT FULLY OPERABLE
A.32	NOT FULLY OPERABLE
A.33	NOT FULLY OPERABLE
A.34	NOT FULLY OPERABLE
A.35	NOT FULLY OPERABLE
A.36	NOT FULLY OPERABLE
A.37	NOT FULLY OPERABLE
A.38	NOT FULLY OPERABLE
A.39	NOT FULLY OPERABLE
A.40	NOT FULLY OPERABLE
A.41	NOT FULLY OPERABLE

COA— \_\_\_\_\_  
Applicant Name: \_\_\_\_\_

Date Received: \_\_\_\_\_  
Received by: \_\_\_\_\_

## Window Survey Form—Window Condition Report

Window #	Window Condition
A.42	NOT FULLY OPERABLE
A.43	NOT FULLY OPERABLE
A.44	NOT FULLY OPERABLE
A.45	NOT FULLY OPERABLE
A.46	NOT FULLY OPERABLE
A.47	NOT FULLY OPERABLE
A.48	NOT FULLY OPERABLE
A.49	NOT FULLY OPERABLE
B.1	NOT FULLY OPERABLE
B.2	NOT FULLY OPERABLE
B.3	NOT FULLY OPERABLE
B.4	NOT FULLY OPERABLE
B.5	NOT FULLY OPERABLE
B.6	NOT FULLY OPERABLE
B.7	NOT FULLY OPERABLE
B.8	NOT FULLY OPERABLE
B.9	NOT FULLY OPERABLE
B.10	NOT FULLY OPERABLE
B.11	NOT FULLY OPERABLE

Window #	Window Condition
B.12	NOT FULLY OPERABLE
B.13	NOT FULLY OPERABLE
B.14	NOT FULLY OPERABLE
C.1	NOT FULLY OPERABLE
C.2	NOT FULLY OPERABLE
C.3	NOT FULLY OPERABLE
C.4	NOT FULLY OPERABLE
C.5	NOT FULLY OPERABLE
C.6	NOT FULLY OPERABLE
C.8	NOT FULLY OPERABLE
C.9	NOT FULLY OPERABLE
C.10	NOT FULLY OPERABLE
C.11	NOT FULLY OPERABLE
C.12	NOT FULLY OPERABLE
C.13	NOT FULLY OPERABLE
C.14	NOT FULLY OPERABLE
C.15	NOT FULLY OPERABLE
C.16	NOT FULLY OPERABLE



# 1001 Crawford St

EXTERIOR APPLICATION – Rev. 1

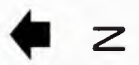
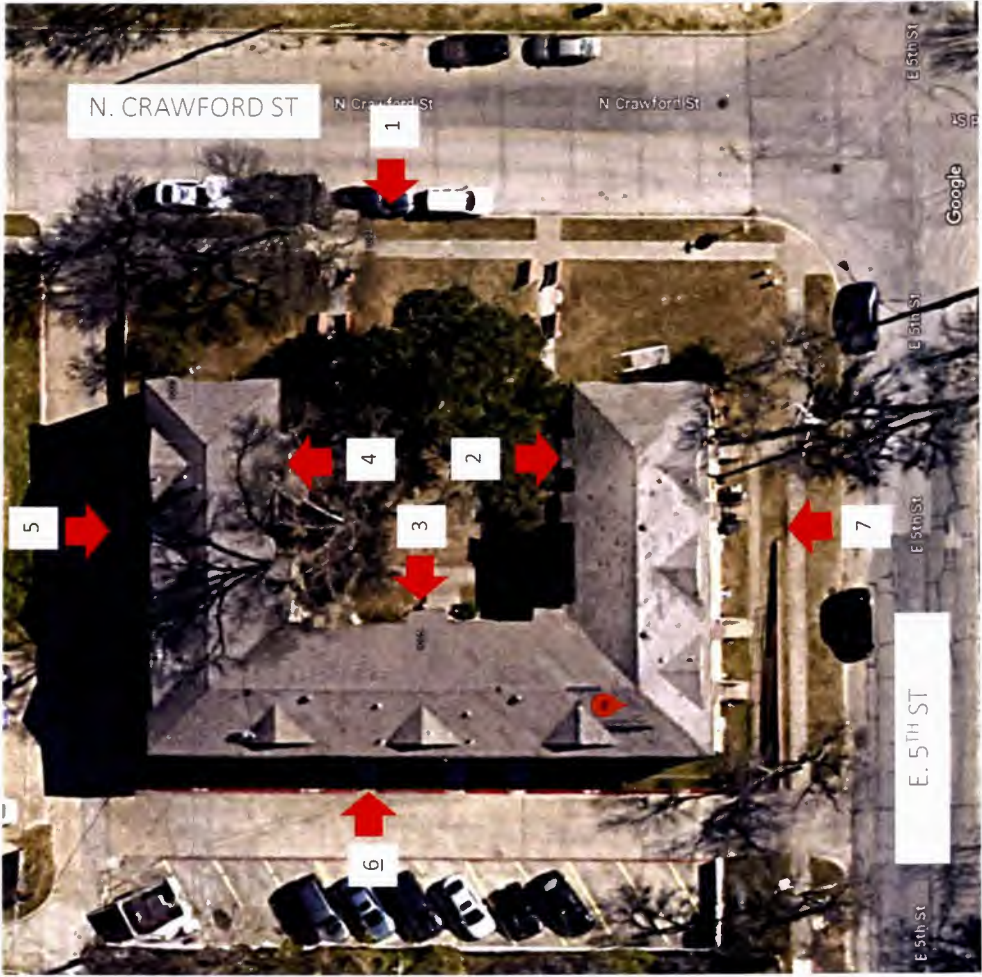
Built 1947

NON-CONTRIBUTING STRUCTURE

Section 51A-4.501(g)(6)(C)(ii): “Standard for approval. The landmark commission must grant the application if it determines that for noncontributing structures, the proposed work is compatible with the historic overlay district.



# SITE PLAN



# WINDOW SCHEDULE AND INFORMATION

WINDOW SCHEDULE							
TYPEMARK	ROUGH OPENING		COUNT	MANUFACTURER	MODEL	MATERIAL	FINISH
	HEIGHT	WIDTH					
A	55.5"	36"	49	Alside	1700 Series	Vinyl	Beige
B	73.5"	60"	14	Alside	1700 Series	Vinyl	Beige
C	32"	28"	24	Alside	1700 Series	Vinyl	Beige

## Color Collection

Create custom appeal with our broad color collection. Exterior colors feature a cutting-edge polyurethane coating technology with heat-reflective pigments for a remarkably strong and fade-resistant finish.

### Interior Colors

White\*



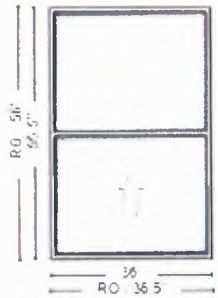
Beige\*



Classic Clay\*

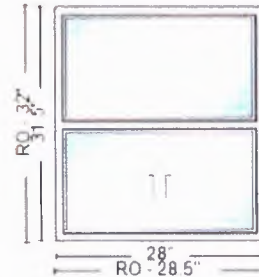
# WINDOW SCHEDULE AND INFORMATION

Item #	Width x Height	UI	Description
	36" X 55.5"	92	



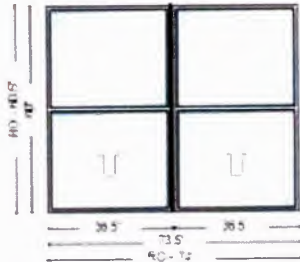
1700-1700 Series Single Hung 36 x 55.5  
 Sash Split = Even  
 Operation / Venting = Single Hung  
 Mild Bevel / Integral 1" Nailfin Setback  
 Frame Color = Beige  
 CLIMATECH ELITE, Double Strength  
 U-Factor = 0.29, CR = 56, SHGC = 0.22, VT = 0.52, CPD  
 = ASO-A-116-01077-00001  
 No Jamb Extension, Frame Size  
**Line Item Notes:**

Item #	Width x Height	UI	Description
	28" X 31.5"	60	



1700-1700 Series Single Hung 28 x 31.5  
 Sash Split = Even  
 Operation / Venting = Single Hung  
 Mild Bevel / Integral 1" Nailfin Setback  
 Frame Color = Beige  
 CLIMATECH ELITE, Double Strength  
 U-Factor = 0.29, CR = 56, SHGC = 0.22, VT = 0.52, CPD  
 = ASO-A-116-01077-00001  
 No Jamb Extension, Frame Size  
**Line Item Notes:**

Item #	Width x Height	UI	Description
	73.5" X 60"	134	



1700-1700 Series Single Hung / Single Hung 73.5 x 60  
 Sash Split = Even  
 Operation / Venting = Single Hung  
 Mild Bevel / Integral 1" Nailfin Setback  
 Frame Color = Beige  
 CLIMATECH ELITE, Double Strength  
 U-Factor = 0.29, CR = 56, SHGC = 0.22, VT = 0.52, CPD  
 = ASO-A-116-02123-00001  
 No Jamb Extension, Frame Size  
 Vertical Factory 0.5" thick, 60" length  
**Line Item Notes:**

# WINDOW SCHEDULE AND INFORMATION

**Block and flexible**  
business schedule  
to the design of a  
commercial site.

**Window glazed fixed lines**  
Provide convenient access from  
inside the building without glass  
needed for replacement.

**Cam-style lock** with  
flexible frame  
allows for easy  
removal of panes.

**Stowed all** in a compact, easy-to-  
store, standard hardware support.

**Window glazed fixed lines**  
Provide convenient access from  
inside the building without glass  
needed for replacement.

**Reinforced meeting rail** for  
superior structural performance.

**Solid vinyl construction** with  
fusion welded corners provides  
added strength, energy efficiency  
and weather tight performance.



Our single and double hung windows offer classic, modern solutions to meet the ever-changing aesthetic, architectural and lifestyle needs in new construction.

## 1700 Series Single Hung

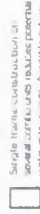
### Features and Benefits

- Multi-use design including larger sizes for custom builds, several options and decorative
- High performance insulate options for stringent local building codes including energy codes markets
- Standard vent sizes for efficient stacking of the window for ventilation
- Fusion welded vinyl with integral hanging hardware for strength and durability

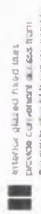
## 1600 Series Single and Double Hung

### Features and Benefits

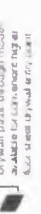
- Energy efficient for affordable, clean energy home
- Comfortable operation for better user experience
- Multi-use design including larger sizes for custom builds, several options and decorative
- High performance insulate options for stringent local building codes including energy codes markets
- Standard vent sizes for efficient stacking of the window for ventilation
- Fusion welded vinyl with integral hanging hardware for strength and durability



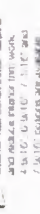
Single frame construction of several colors and multiple potential window styles. Available in fixed and double hung and double hung and J-hung units.



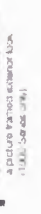
Interior glazed fixed lines provide convenient access from inside the building without glass needed for replacement.



By vent sizes through insulate available for stringent regional codes to meet energy code.



Primed wood and aluminum are available to support but interior and exterior paint colors and finishes are available.



Optional 3 1/2" thick sash with architectural perfect balance for a picture framed exterior look (High Series only).

# A New View on Style and Performance

## Combine Your Window Options

	1700	1900
Fusion-welded frame and sash	•	•
Slotted sill hung units	•	•
Block and tackle balance system	•	•
Integral blindthrough J-channel	•	•
Reinforced meeting rail	•	•
Interior placed fixed top glass, removable from the inside	•	•
3/64 single hung egress	•	•
Continuous frame for twin and triple units	•	•
3/8" flat casing with bulkhead sill	•	•
Double hung platform	•	•
Zero extension	•	•
Exterior colors	•	•
Meets ENERGY STAR® requirements in all four climate zones	•	•

- [3/8" flat](#) | [Casing](#)

### Frame Options

Multiple framing colors streamline installation for every type of construction, including, and necessary type with unique passive design details to improve the contractor and builder experience with today's design trends in mind.



1700 Series Single Hung with Fusion Weld • 1900 Series Single Hung with Fusion Weld • 1900 Series Double Hung with Fusion Weld • 1900 Series Triple Hung with Fusion Weld

### Drywall Return Channel

For fixed installations, a return channel offers an alternative to wood trim and caulking while providing a clean, professional finish. Available in 21 lengths. Easily turns to any size.



### J-Channel Quick Fix Repair Kit

Seal or J channel replaces damaged materials caused by stray hammer swings. A quick and easy solution when the need arises. Available in 21 lengths. Easily turns to any size.



### Metal-Reinforced Mulling System

For greater structural integrity, slotted mulling window units, a metal channel secures the window unit frame to anchor for added strength to multiple units (optional).



The metal band provides added rigidity for slapping and additional reinforcement at the mull intersections for insulation. The channel at the top provides a system to direct water away from the mullion.

### Casement Operating System Options



Standard opening option allows maximum window opening via cordless with leading safety standards.



Egress hardware option allows maximum window opening via cordless with leading safety standards.

ELEVATION 1- EAST (FACING N CRAWFORD)



## ELEVATION 2- COURTYARD SOUTH

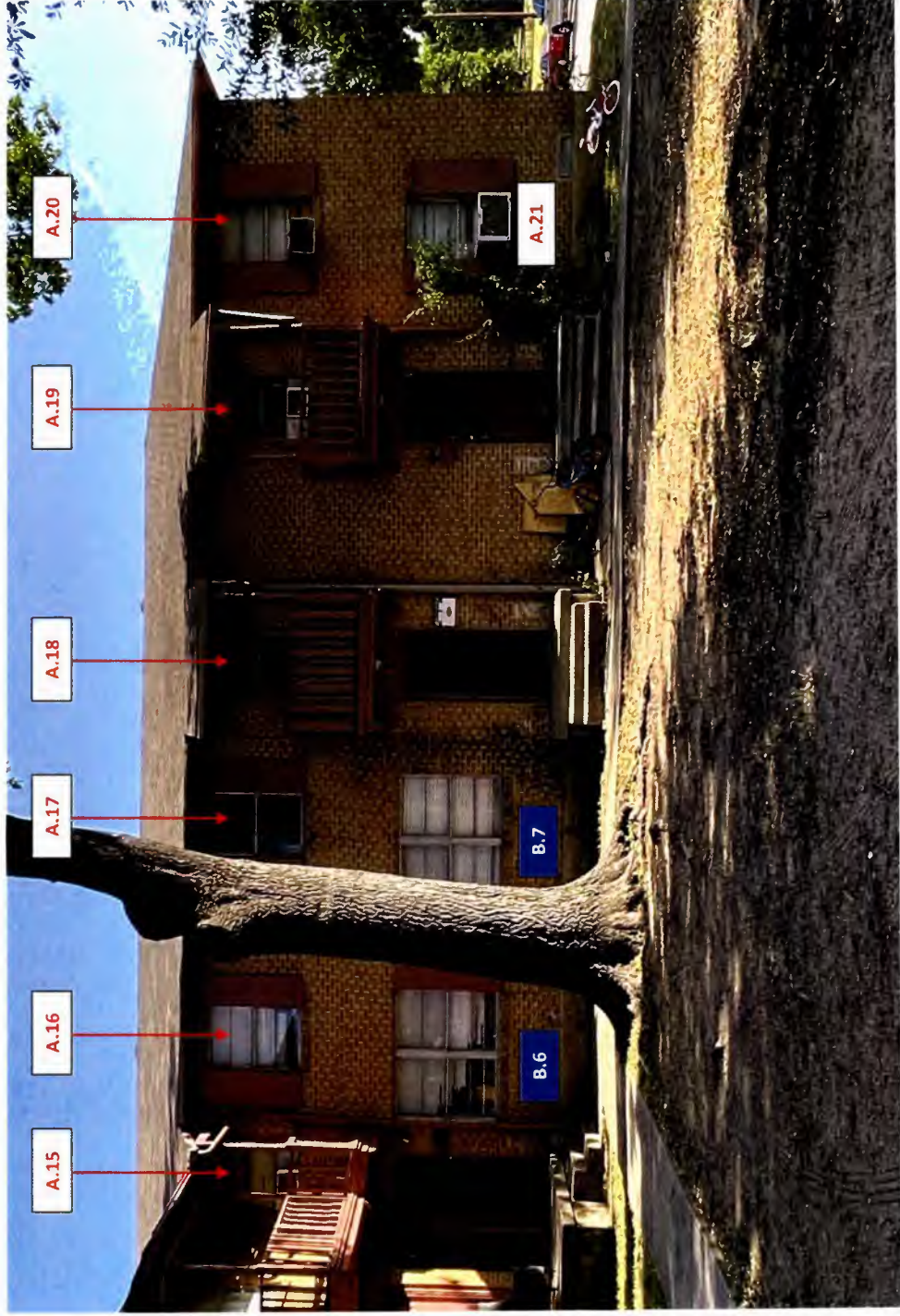


# ELEVATION 3- COURTYARD WEST





# ELEVATION 4- COURTYARD NORTH



# ELEVATION 5- NORTH



# ELEVATION 6- WEST



# ELEVATION 7- SOUTH



EXAMPLES: LAKECLIFF HISTORIC OVERALY



808 BARCLAY DR



723 N MARSALIS AVE



707 -709 N MARSALIS AVE



722 N MARSALIS AVE

EXAMPLES: LAKECLIFF HISTORIC OVERLAY



836 N BECKLEY AVE



1123 N. CRAWFORD



606 N. MARSALIS AVE



501 N. MARSALIS AVE



515 N. MARSALIS AVE



811 N. MARSALIS AVE



# SECTION 4

## Landmark Commission Minutes

April 1, 2024

See Pages 7 - 8 Item #2

LANDMARK COMMISSION MINUTES

April 1, 2024

lagoon areas are encouraged if compatible with the historic character of the district.

Maker:	Sherman				
Second:	Reaves				<b>MOTION FAILED</b>
Results:	5/9				
		Ayes:	-	5	Anderson, Fogleman, Sherman, Reaves, Rothenberger
		Against:	-	9	Montgomery, Taylor, Offutt, Hinojosa, Spellicy, Renaud, Gay, Preziosi, Guest,
		Absent:	-	2	Livingston, Guest
		Vacancies:	-	2	Districts 10 & 15

The Chair declared the motion failed and asked for another motion.

**Motion #2**

That the request for a Certificate of Appropriateness to install a new outdoor carousel (in the west, side yard of the Children’s Aquarium) be **approved** in accordance with drawings and specifications dated 3/21/2024 **with the following condition**: that final colors, finishes and amusement signage must be submitted for Landmark Commission review prior to commencement of work. Implementation of the recommended condition would allow the proposed work to be consistent with preservation criteria Sections 5.2(b)(5)(D) and 5.2(b)(5)(F) pertaining to the Lagoon; the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior’s Standards for Rehabilitation.

Maker:	Taylor				
Second:	Spellicy				
Results:	10/4				
		Ayes:	-	10	Gay, Hinojosa, Montgomery, Offutt, Preziosi, Renaud, Spellicy, Taylor, Reaves,
		Against:	-	4	Anderson, Fogleman, Rothenberger, Sherman
		Absent:	-	2	Livingston, Guest
		Vacancies:	-	2	Districts 10 & 15

The Chair declared the motion approved with conditions by the Landmark Commission.

**2. 1001 N CRAWFORD ST**

Lake Cliff Historic District  
 CA234-246(MW)  
 Marcus Watson

A Certificate of Appropriateness to replace all existing windows (non-historic) with Alside 1700-Series vinyl windows in "beige" color.

Speakers: For: Barrett Linburg  
 Against: No Speakers

**Motion**

That the request for a Certificate of Appropriateness to replace all existing windows (non-historic) with Alside 1700-Series vinyl windows in "beige" color be **denied without prejudice**. The proposed work is not compatible with the historic overlay district.



LANDMARK COMMISSION MINUTES  
 April 1, 2024

Maker:	Reaves				
Second:	Gay				
Results:	9/4				
		Ayes:	-	9	Anderson, Gay, Montgomery, Offutt, Preziosi, Sherman, Taylor, Reaves, Spellicy
		Against:	-	4	Fogleman, Rothenberger, Hinojosa, Renaud,
		Absent:	-	2	Livingston, Guest
		Vacancies:	-	2	Districts 10 & 15

The Chair declared the motion denied without prejudice by the Landmark Commission.

**3. 5521 SWISS AVE**

Swiss Avenue Historic District  
 CA234-256(CM)  
 Christina Mankowski

A Certificate of Appropriateness to change paint color of main structure for all wood trim to Sherwin Williams "Iron Ore".

Speaker For: No Speakers  
 Against: No Speakers

**Motion**

That the request for a Certificate of Appropriateness to change paint color of main structure for all wood trim to Sherwin Williams "Iron Ore" be **denied without prejudice** as the color "Iron Ore" is not historically characteristic of the Federal Colonial Architectural Style and is not complimentary to the character of the main structure. The proposed work is inconsistent with preservation criteria Section 51P-63.116(1)(H)(iii); the standards in City Code Section 51A-4.501(g)(6)(C)(i) for contributing structures; and the Secretary of the Interior's Standards.

Maker:	Anderson				
Second:	Reaves				
Results:	12/1				
		Ayes:	-	12	Anderson, Fogleman, Gay, Hinojosa, Montgomery, Preziosi, Sherman, Spellicy, Taylor, Reaves, Renaud, Rothenberger
		Against:	-	1	Offutt
		Absent:	-	2	Livingston, Guest
		Vacancies:	-	2	Districts 10 & 15

The Chair declared the motion denied without prejudice by the Landmark Commission.

**4. 1223 BOSWELL ST**

Tenth Street Neighborhood Historic District  
 CD234-007(RD)  
 Rhonda Dunn

A Certificate of Demolition to demolish a main residential building; using the standard: imminent threat to public health or safety. (Unauthorized Work)

# SECTION 5

Transcript of the  
April 1, 2024  
Landmark Commission  
Hearing  
1001 N Crawford Street  
CA234-246(MW)

Landmark Commission Minutes.

1001 N Crawford St. CA234-246 (MW)

Monday, April 1, 2024

1                   COMMISSIONER MONTGOMERY: All right. Now, we  
2 can move on to -- it seems like we haven't gotten anything  
3 done because we're only on discussion item 2, but we  
4 really have gotten a lot done. So let's go with that one.

5                   MR. WATSON: Item D2 is 1001 North Crawford  
6 Street in the Lake Cliff, historic district CA234-246MW.  
7 And I am Marcus Watson presenting the request is for a  
8 certificate of appropriateness to replace all existing  
9 windows non historic with all side 1700 series vinyl,  
10 windows in beige color. Staff recommendation is that the  
11 request for a certificate of appropriateness to replace  
12 all existing windows non historic with all side 1700  
13 series vinyl windows in base color, be approved with the  
14 condition that the new windows be all wood inside and out,  
15 no vinyl and no cladding, and be submitted for final staff  
16 approval.

17                   With the finding that vinyl windows are not  
18 compatible with the historic overlay district and would  
19 constitute an adverse effect on the district.  
20 Implementation of the condition would allow the proposed  
21 work to be consistent with the preservation criteria.  
22 Sections 5.2 and 5.3, the standards in city code section  
23 51(a)-4.501G(6) C Roman at two for non-contributing  
24 structures and the Secretary of the Interior standards.

25                   Task force recommendation; that the request for

1 a certificate appropriateness to replace all existing  
2 windows non historic with all sides 1700 series vinyl  
3 windows in beige color be approved. Many precedents for  
4 vinyl windows and other properties in the district would  
5 windows pose a large financial burden on applicant no  
6 historic tax credits for property.

7 COMMISSIONER MONTGOMERY: Thank you. And we do  
8 have one speaker. I see he is on screen. Mr. Barrett  
9 Lindbergh. Welcome. We do need you to state your name  
10 and address and then swear or promise to tell the truth.

11 MR. LINDBERGH: Sure. Barrett Lindbergh 6060  
12 North Central Expressway and we'll tell the truth.

13 COMMISSIONER MONTGOMERY: All right, sir, you  
14 have three minutes to give us any information you want to  
15 have about -- you want to give us about your request.

16 MR. LINDBERGH: Sure. Here to request your  
17 approval for our Certificate of Appropriateness to replace  
18 the existing aluminum windows at 1001 North Crawford with  
19 vinyl windows in beige color. It's a non-contributing  
20 structure without a protected facade, and our proposed  
21 vinyl windows are compatible with the Lake Cliff historic  
22 overlay. Similar vinyl windows can be found on at least  
23 10 properties in the historic district. Those are in our  
24 submission package. Notably city staff or Melissa parent  
25 has supported the approval of vinyl windows at 606 and 707

1 North Marsalis in 2021 and 2022. And City staffer  
2 Christina Mankowski supported the same change in 2022 and  
3 2023 on 501 and 515 North Marsalis.

4           These were all similarly sized non-contributing  
5 multi-family buildings. And again, there's photographs of  
6 those properties in our submission package. The  
7 Neighborhood Task force explicitly supports this proposal.  
8 Oftentimes we're as developers at odds with the -- with  
9 the neighborhood task force, but in this case, they  
10 recognize the compatibility of the vinyl windows with  
11 other projects and the historic overlay overall.

12           The Dallas code states that for  
13 non-contributing structures, the Landmark Commission must  
14 grant the application if the proposed work is compatible  
15 with the overlay district. By approving our request, you  
16 will follow the historic overlay in the Dallas code.  
17 Encouraging our continued investment and others continued  
18 investment in overall city historic districts. If you  
19 cannot approve our request over right, we request that you  
20 deny the application rather than approving it with  
21 conditions, allowing us to appeal it to the planning  
22 commission. City Staff has recommended that you approve  
23 it with conditions and we would request either an approval  
24 or a denial without prejudice. Thank you for your  
25 consideration and I hope for your support today.

1                   COMMISSIONER MONTGOMERY: All right, thank you  
2 Mr. Lindbergh. Now it is time for the commissioners to  
3 ask questions of both you and Staff. Commissioner  
4 Spellicy?

5                   COMMISSIONER SPELLICY: In regards to the  
6 discussion that occurred at the task force. It looked  
7 like there was -- around the cost, the creation of the  
8 financial burden, the fact that a historic tax credit  
9 isn't available for the property or things like that. And  
10 I thought you made reference to that being included within  
11 the packet, but I don't actually see anything that is  
12 listed in there like we've seen in a couple of our other  
13 commercial projects that have come before us.

14                  MR. LINDBERGH: Sure. So wood windows would  
15 cost about \$25,000 more than the proposed vinyl windows.  
16 And because this is a non-contributing property there are  
17 no tax credits at the federal or state level or property  
18 tax abatements available at the local level available if  
19 we were to need to use any type of more expensive  
20 material.

21                  COMMISSIONER MONTGOMERY: And how does that  
22 relate in regards to percentage of the overall budget for  
23 the project?

24                  MR. LINDBERGH: It is a -- an increase. It's a  
25 material increase.

1                   COMMISSIONER SPELLICY: I just want to make  
2 sure that the commission does understand, unless this is a  
3 demolition for economic hardship, we're -- the  
4 commission's not really supposed to discuss money.

5                   COMMISSIONER MONTGOMERY: I just want to  
6 clarify that there are a handful of commercial properties  
7 and at least two that I could think of residential ones,  
8 which we absolutely had these types of discussions in  
9 terms of the project moving forward. So it may have been  
10 done in error in the past, but nobody thought those  
11 discussions that day, so --

12                   MR. LINDBERGH: Yeah. And I think it was my  
13 fault that I brought it up and the only reason bringing it  
14 up was just there are city incentives available for  
15 historic properties and there are no incentives available  
16 for non-contributing properties. And that's why I wanted  
17 to make the distinction.

18                   COMMISSIONER MONTGOMERY: Would you like to  
19 explore the option of becoming a contributing property so  
20 you could get those tax incentives?

21                   MR. LINDBERGH: Well, I think explicitly in the  
22 historic overlay when it was drawn up in the 1980s, that  
23 this property, 1001 North Crawford is explicitly  
24 non-contributing.

25                   COMMISSIONER MONTGOMERY: And it might be



1 forever non-contributing, but it's also possible we could  
2 look at it and decide that it in some way met that  
3 criteria to become, I think we've done it before. I'm not  
4 saying we would find that to be true in this case, but if  
5 we would try, would you be open to us trying to?

6 MR. LINDBERGH: Well, number one, I think we're  
7 a little late since we've already started construction,  
8 but number two, prior to starting construction, we looked  
9 into having this property along with several other that  
10 we've done -- added to the National Historic Register and  
11 it was not possible because there was nothing remarkable  
12 about it.

13 COMMISSIONER MONTGOMERY: Okay. All right. So  
14 they did not think that it qualified. All right. Does  
15 anybody else have a question, Commissioner Preziosi you  
16 have your light on.

17 COMMISSIONER PREZIOSI: Yes. Question for the  
18 applicant. Will the proposed windows fill the entire  
19 opening or will there be any blocking to fill the opening  
20 with the windows you've chosen.

21 MR. LINDBERGH: They'll fill the entire  
22 opening.

23 COMMISSIONER PREZIOSI: So are these custom  
24 windows then, or are these standard windows that actually  
25 fit the opening size.

1 MR. LINDBERGH: They're custom windows.

2 COMMISSIONER MONTGOMERY: Any other?

3 COMMISSIONER RENAUD: This is Commissioner  
4 Renaud.

5 COMMISSIONER MONTGOMERY: Commissioner Renaud?

6 COMMISSIONER RENAUD: Yes. I wanted for the  
7 record to bring up the -- the examples that were in the --  
8 in our package that actually, I believe there were maybe  
9 three different profiles for the -- for the sashes of the  
10 -- or the frames of the windows themselves. I -- I just  
11 wanted to bring those up so that we could see them. The  
12 -- I -- I thought I remember one that had a profile that  
13 was very wood like. Wood in terms of its section but I  
14 wanted everybody to -- to be able to see it and -- and  
15 appreciate the -- the detail.

16 COMMISSIONER SPELLICY: Is this the page you're  
17 referring to?

18 COMMISSIONER RENAUD: There was a three  
19 dimensional picture that showed what the frame, actually  
20 --

21 COMMISSIONER SPELLICY: (Indiscernible).

22 COMMISSIONER RENAUD: The way it's shaped.

23 COMMISSIONER MONTGOMERY: It's page 201.

24 COMMISSIONER RENAUD: I believe you just passed  
25 it.

1 COMMISSIONER SPELLICY: You don't have the same  
2 page numbers. It's --

3 COMMISSIONER RENAUD: You just passed it.  
4 Let's see. It's a - it's a specification sheet.

5 COMMISSIONER SPELLICY: There's a delay.

6 MR. LINDBERGH: Going to go back about six  
7 pages. Maybe 16 or 17.

8 COMMISSIONER RENAUD: There you go.

9 COMMISSIONER SPELLICY: Yeah.

10 COMMISSIONER RENAUD: There -- so there's three  
11 different profiles it looks like with 1700 series. I  
12 can't quite read the numbers, but it -- it appears that --

13 COMMISSIONER SPELLICY: 1700, is the first one.

14 COMMISSIONER RENAUD: Yeah. It appears that  
15 the middle section is a bit more wood like. I do see that  
16 it has a -- a -- a wide sort of flat piece. But again you  
17 know, in terms of everything that we've heard today, if  
18 that might be a reasonable alternate.

19 MR. LINDBERGH: We can certainly price out.  
20 Yeah, we can certainly price it out. I -- I don't know  
21 the answer.

22 COMMISSIONER RENAUD: Okay.

23 COMMISSIONER MONTGOMERY: To -- to clarify with  
24 the applicant, if -- if it was the opinion of this body  
25 that we thought that one would suffice, would you accept

1 agreeing to go with that one today?

2 MR. LINDBERGH: I -- I don't know the answer as  
3 far as price or availability.

4 COMMISSIONER MONTGOMERY: Okay. All right.  
5 Any other questions? No questions here. No questions at  
6 home? Well, in that case it's time for a motion.

7 Commissioner Reaves, hang on everyone, the city  
8 attorney is assisting.

9 COMMISSIONER RENAUD: In the matter of  
10 CA234246MW I move that we deny without prejudice request  
11 with -- it is a request that this gentleman has an  
12 opportunity to check on the prices of the other windows.

13 COMMISSIONER MONTGOMERY: Normally we need the  
14 end of it to be kind of about why -- not that, why the  
15 other, why. Like why -- why --

16 COMMISSIONER RENAUD: With the proposed affect  
17 work is not compatible with the historic overlay district.  
18 I like that.

19 COMMISSIONER MONTGOMERY: Yeah, I like that.  
20 That's why she wrote it for a segment though. I never use  
21 it. Everyone else should I make motions very often. All  
22 right, so we have a motion. Any one second this motion?

23 COMMISSIONER GAY: Second.

24 COMMISSIONER MONTGOMERY: Okay. Thank you.  
25 Commissioner Gay for your second. Is there any further

1 discussion, Commissioner Rothenberger?

2 COMMISSIONER ROTHENBERGER: Yeah. I -- we'll  
3 be supporting the motion. I think what's been presented  
4 is sufficient in my opinion. Thank you.

5 COMMISSIONER MONTGOMERY: Anyone else with a  
6 comment. Then it is time for us to vote. All those in  
7 favor of this motion please say aye.

8 COMMISSIONER OFFUT: Aye.

9 COMMISSIONER FOGLEMAN: Aye.

10 COMMISSIONER HINOJOSA: Aye.

11 COMMISSIONER MONTGOMERY: Any more? Any  
12 opposed? Okay. I see --

13 COMMISSIONER RENAUD: Nay.

14 COMMISSIONER MONTGOMERY: -- two. Okay.  
15 Clearly I don't see them all. So once again we'll do the  
16 roll call. I just for Texas to make sure we have not made  
17 a mistake.

18 COMMISSIONER RENAUD: Madam Chair, if I may,  
19 before we take a vote, I just want to be clear that the  
20 standard is whether or not these windows as presented --  
21 the vinyl windows, whether or not it's compatible with the  
22 historic district. We -- we can't get into discussion  
23 about how much it costs or if it's cost effective for the  
24 project. That should be the standard. Whether or not  
25 this work -- the proposed work is compatible with the

1 historic district.

2 COMMISSIONER MONTGOMERY: Yes. That is why we  
3 redid the original position. So as we are voting on the  
4 compatibility of this, okay, let us have our roll call  
5 vote now.

6 UNKNOWN FEMALE: District one, Commissioner  
7 Sherman?

8 COMMISSIONER SHERMAN: Aye.

9 UNKNOWN FEMALE: District two, Commissioner  
10 Montgomery?

11 COMMISSIONER MONTGOMERY: Yes.

12 UNKNOWN FEMALE: District three, Commissioner  
13 Fogelman?

14 COMMISSIONER FOGLEMAN: No.

15 UNKNOWN FEMALE: District four, Commissioner  
16 Taylor?

17 COMMISSIONER MONTGOMERY: Commissioner Taylor,  
18 you're on mute.

19 COMMISSIONER TAYLOR: My mic's messing up. I  
20 don't have any questions.

21 UNKNOWN FEMALE: No. Are you're voting on --  
22 on the the motion just -- that we just made.

23 COMMISSIONER TAYLOR: It was a aye.

24 UNKNOWN FEMALE: Okay. Thank you. District  
25 five, Commissioner Offutt?

1 COMMISSIONER OFFUT: Yes.

2 UNKNOWN FEMALE: District six, Commissioner

3 Hinojosa?

4 COMMISSIONER HINOJOSA: No.

5 UNKNOWN FEMALE: District eight, Commissioner

6 Spellicy?

7 COMMISSIONER SPELLICY: (Indiscernible).

8 UNKNOWN FEMALE: District nine, Commissioner

9 Renaud?

10 COMMISSIONER RENAUD: No.

11 UNKNOWN FEMALE: You're muted too.

12 COMMISSIONER RENAUD: No.

13 UNKNOWN FEMALE: District 11, Commissioner Gay?

14 COMMISSIONER GAY: Aye.

15 UNKNOWN FEMALE: District 12, Commissioner

16 Rothenberger?

17 COMMISSIONER ROTHENBERGER: Nay.

18 UNKNOWN FEMALE: District 13, Commissioner

19 Preziosi?

20 COMMISSIONER PREZIOSI: Yes.

21 UNKNOWN FEMALE: District -- I'm sorry.

22 Commissioner Anderson?

23 COMMISSIONER ANDERSON: Yes.

24 UNKNOWN FEMALE: Commissioner Reaves?

25 COMMISSIONER RENAUD: Yes.

1 UNKNOWN FEMALE: Eight out of 13. Yes, it says  
2 yes.

3 COMMISSIONER MONTGOMERY: Okay. Eight out of  
4 13 supported. Therefore, this motion carries therefore  
5 this applicant's request is denied without prejudice,  
6 which he did request. We do if we couldn't approve and we  
7 know that the applicant I believe is aware of the appeal  
8 process and perhaps we'll choose to pursue that.

9 Staff can help with any issues about that. We  
10 would rather want that the applicant come back with a  
11 different idea that we could support but the applicant  
12 will decide for himself what he wishes to do.

13 Thank you, sir.

14 (End of recording).  
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CERTIFICATE OF TRANSCRIPTIONIST

I, Wanda Ramos, do hereby certify that the transcript is a true record of the video recording; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this video recording was taken; and further, that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action.

*Wanda Ramos*

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Wanda Ramos

Transcriber

# SECTION 6

Historic Preservation Criteria  
Dallas Development Code  
§ 51A-4.501

**SEC. 51A-4.501. HISTORIC OVERLAY DISTRICT.**

(a) Purpose. The purpose of this section is to promote the public health, safety and general welfare, and:

- (1) to protect, enhance and perpetuate places and areas which represent distinctive and important elements of the city's historical, cultural, social, economic, archeological, paleontological, ethnic, political and architectural history;
- (2) to strengthen the economy of the city;
- (3) to increase public knowledge and appreciation of the city's historic past and unique sense of place;
- (4) to foster civic and neighborhood pride and a sense of identity;
- (5) to promote the enjoyment and use of historic resources by the people of the city;
- (6) to preserve diverse architectural styles, patterns of development, and design preferences reflecting phases of the city's history;
- (7) to create a more livable urban environment;
- (8) to enhance property values;
- (9) to provide financial incentives for preservation;
- (10) to protect and enhance the city's attraction to tourists and visitors;
- (11) to resolve conflicts between the preservation of historic resources and alternative land uses;
- (12) to integrate historic preservation into public and private land use planning;
- (13) to conserve valuable resources through use of the existing building environment;
- (14) to stabilize neighborhoods;
- (15) to increase public awareness of the benefits of historic preservation;
- (16) to maintain a harmony between new and historic structures so that they will be compatible in scale, form, color, proportion, texture and material; and
- (17) to encourage public participation in identifying and preserving historic resources.

(b) Establishment of historic overlay districts. A historic overlay district may be established to preserve places and areas of historical, cultural, or architectural importance and significance if the place or area has three or more of the following characteristics:

- (1) History, heritage and culture: Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country
- (2) Historic event: Location as or association with the site of a significant historic event.
- (3) Significant persons: Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country
- (4) Architecture: Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.
- (5) Architect or master builder: Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state, or country.
- (6) Historic context: Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.
- (7) Unique visual feature: Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.
- (8) Archaeological: Archaeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.
- (9) National and state recognition: Eligible for or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places
- (10) Historic education: Represents an era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.

(c) Historic designation procedure and predesignation moratorium.

- (1) Purpose. Temporary preservation of the status quo upon initiation of the historic designation procedure is necessary to allow time to evaluate each proposed historic overlay district, to consider appropriate preservation criteria, and to prevent circumvention of the purposes of this section. Relief from the predesignation moratorium may be obtained by applying for a predesignation certificate of appropriateness or certificate for demolition or removal
- (2) Initiation of historic designation procedure.

(A) The procedure for adopting an ordinance to establish or amend a historic overlay district may be initiated by five members of the city council, three members of the city plan commission, one member of the landmark commission for an individual property and three members of the landmark commission for an expansion of an existing district or creation of a new district, or by the owner(s) of the property.

(i) Statement of intent for historic designation. The five city council members, three city plan commissioners, or one landmark commissioner if it is an individual property, or three landmark commissioners if it is an expansion of an existing district or creation of a new district, must prepare and present a statement of intent for historic designation at the public hearing to initiate the historic designation procedure. The purpose of the statement of intent for historic designation is to provide justification of the action under consideration. The statement of intent must be provided to the property owner(s) at the time the agenda for the meeting is posted. The statement of intent of historic designation must contain the following:

(aa) List of characteristics on which the initiation is based;

(bb) A brief description of the historical significance of the potential building, site, district or expansion;

(cc) Purpose of the proposed designation; and

(dd) For district expansions, a statement including the history and timeline of the existing district designation process and information on why the expansion area was not originally included with the initial district designation, if available.

(ii) Procedure for individual properties. The procedure to designate an individual property requires a minimum of one public hearing of the initiating body. The purpose of the hearing is to determine whether sufficient information is presented to initiate the historic designation procedure.

(iii) Procedures for expansions and new districts.

(aa) The procedure to expand an existing district or create a new district involves a minimum of two public hearings and a community meeting. The purpose of the first public hearing is to determine whether enough information is presented to consider a historic designation. This first public hearing does not initiate the historic designation procedure. If the city council, the city plan commission, or the landmark commission determines that sufficient information has been presented in the statement of intent for historic designation for consideration, the department shall conduct a community meeting. The purpose of the community meeting is for the proposing commissioners or city council members to present the statement of intent for historic designation to the property owners, neighbors, and interested parties to the proposed initiation, and to provide an opportunity for public comment. The meeting must be held at a facility open to the public within the neighborhood of the proposed historic district. The information presented must include the following:

(I) Statement of intent for historic designation;

(II) List of potential impacts of historic preservation;

(III) List of neighborhood planning concerns and goals; and

(IV) Any other information that may be relevant.

(bb) Prior to the second public hearing to initiate the historic designation procedure, the proposing commissioners or city council members must revise the statement of the intent for historic designation. The revised statement of intent must include the following, as applicable:

(I) original statement of intent;

(II) transcription of the community meeting;

(III) benefits and incentives of preservation;

(IV) additional neighborhood planning goals;

(V) concepts for additional development incentives paired with historic preservation;

(VI) summary of concerns; and

(VII) summary of economic incentives available to the property owners such as city of Dallas historic tax exemption, tax increment financial districts, and federal or state opportunities;

(VIII) statement reflecting the property owner(s) position, if available.

The purpose of the second public hearing is to review the revised statement of intent and determine whether sufficient information is presented to initiate the historic designation procedure.

(B) The director shall provide property owners with notice of a public hearing to initiate the historic designation procedure, a statement that describes the impact that a historic designation of the owner's property may have on the owner and the owner's property, and information about the process at least 15 days before the date set for the initial hearing using the procedure outlined in Section 51A-4.701(a)(1). The historic designation impact statement must include the following:

(i) regulations that may be applied to any structure on the property after the designation;

(ii) procedures for the designation.

- (iii) tax benefits that may be applied to the property after the designation, and
- (iv) rehabilitation or repair programs that the city offers for a property designated as historic.

(C) No permits to alter or demolish the property may be issued after provision of this notice until action is taken at that initial hearing by the city council, city plan commission, or landmark commission.

(D) The historic designation procedure is considered to be initiated immediately when the city council, the city plan commission, or the landmark commission votes to initiate it or, in the case of initiation by the property owner(s), when the zoning change application is filed with the director.

(3) Appeal. If the historic designation procedure is initiated by the landmark commission or the city plan commission, the property owner may appeal the initiation to the city council by filing a written notice with the director within 15 days after the action of the landmark commission or city plan commission. The written notice must include why the property owner thinks the criteria used to justify the initiation does not apply. Within 90 days after the filing of the appeal or 180 days after filing the appeal, if a 90 day extension is requested by the property owner within 45 days of filing the initial written notice of appeal with the director, the director and the chair of the landmark commission shall present the statement of intent for historic designation if it is an individual property, or the revised statement of intent for historic designation if it is an expansion or new district to the city council. After submission of the statement of intent for historic designation if it is an individual property, or revised statement of intent for historic designation if it is an expansion or new district, the city council shall hold a public hearing on the appeal. The sole issue on appeal is whether the landmark commission or city plan commission erred in evaluating the significance of the property based on the characteristics listed in Section 51A-4.501 (b). Appeal to the city council constitutes the final administrative remedy.

(4) Enforcement. Upon initiation of the historic designation procedure, the historic preservation officer shall immediately notify the building official. The building official shall not accept any application for a permit to alter, demolish, or remove the structure or site subject to the predesignation moratorium, unless a predesignation certificate of appropriateness or certificate for demolition or removal has been issued.

(5) Designation report. Upon initiation of the historic designation procedure, the historic preservation officer shall coordinate research to compile a written report regarding the historical, cultural, and architectural significance of the place or area proposed for historic designation. This report must include a statement on each of the following to the extent that they apply:

(A) A listing of the architectural, archaeological, palaeontological, cultural, economic, social, ethnic, political, or historical characteristics upon which the nomination is based;

(B) A description of the historical, cultural, and architectural significance of the structures and site;

(C) A description of the boundaries of the proposed historic overlay district, including subareas and areas where new construction will be prohibited; and

(D) Proposed preservation criteria for the proposed historic overlay district.

(6) Designation procedure. For purposes of Section 51A-4.701, "Zoning Amendments," once the designation report has been voted on by the landmark commission, the designation shall be treated as a city plan commission authorized public hearing and may not be appealed to city council if the city plan commission recommends denial. The notice of authorization in Section 51A-4.701 (a)(1) is not required.

(7) Historic designation. The city may not designate a property a historic district unless:

(A) the owner of the property consents to the designation; or

(B) the designation is approved by a three-fourths vote of:

(i) the landmark commission;

(ii) the city plan commission, and

(iii) the city council.

(C) The owner of the property may withdraw consent at any time during the designation process by filing a written notice with the director.

(D) If the property is owned by an organization that qualifies as a religious organization under Section 11.20 of the Texas Tax Code, the city may designate the property as a historic district only if the organization consents to the designation.

(8) Computation of time

(A) Unless otherwise provided in this paragraph, computing any period of time prescribed in this subsection shall be in accordance with Section 1-5 of the Dallas City Code.

(B) If the last day of any period is a Saturday, Sunday, or official holiday observed by the city, the period is extended to include the next day that is not a Saturday, Sunday, or official holiday observed by the city.

(C) Except as otherwise specified, time periods will be calculated based on calendar days.

(9) Termination of the predesignation moratorium. The predesignation moratorium ends on the earliest of the following dates.

(A) The day after the city council, city plan commission, or landmark commission that voted to initiate the historic designation

procedure, votes to terminate the historic designation procedure.

(B) The day after the city council, in an appeal from an initiation by the city plan commission or landmark commission, votes to terminate the historic designation procedure.

(C) In the case of initiation by the property owner(s), the day after the zoning change application is withdrawn.

(D) If the proposed historic overlay district zoning change is approved, the effective date of the ordinance establishing the historic overlay district.

(E) If the proposed historic overlay district zoning change is denied, the day after either the city council makes its final decision denying the change or the expiration of the time period for appeal to the city council from a city plan commission recommendation of denial.

(F) Two years after the date the historic designation procedure was initiated, regardless of who initiated the procedure.

(d) Predesignation certificate of appropriateness.

(1) When required. A person shall not alter a site, or alter, place, construct, maintain, or expand any structure on the site during the predesignation moratorium without first obtaining a predesignation certificate of appropriateness in accordance with this subsection.

(2) Penalty. A person who violates this subsection is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a predesignation certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.

(3) Application. An application for a predesignation certificate of appropriateness must be submitted to the director. The application must include complete documentation of the proposed work. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. No application shall be deemed to be filed until it is made on forms promulgated by the director and contains all required supporting plans, designs, photographs, reports, and other exhibits required by the director. The applicant may consult with the department before and after the submission of an application.

(4) Predesignation certificate of appropriateness review procedure. Upon receipt of an application for a predesignation certificate of appropriateness, the director shall determine whether the structure is contributing or noncontributing. Within 40 days after a complete application is filed for a noncontributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. Within 65 days after a complete application is filed for a contributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. The landmark commission may impose conditions on the predesignation certificate of appropriateness. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. The director shall immediately notify the applicant of the landmark commission's action. The landmark commission's decision must be in writing and, if the decision is to deny the predesignation certificate of appropriateness, with or without prejudice, the writing must state the reasons why the predesignation certificate of appropriateness is denied.

(5) Standard for approval. The landmark commission must approve the application if it determines that:

(A) for contributing structures, the application will not adversely affect the character of the site or a structure on the site, and the proposed work is consistent with the regulations contained in this section and the proposed preservation criteria; or

(B) for noncontributing structures, the proposed work is compatible with the historic overlay district.

(6) Issuance. If a predesignation certificate of appropriateness has been approved by the landmark commission or if final action has not been taken by the landmark commission within 40 days (for a noncontributing structure) or 65 days (for a contributing structure) after a complete application is filed:

(A) the director shall issue the predesignation certificate of appropriateness to the applicant, and

(B) if all requirements of the development and building codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.

(7) Appeal. If a predesignation certificate of appropriateness is denied, the chair of the landmark commission shall verbally inform the applicant of the right to appeal to the city plan commission. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. The applicant may appeal the denial to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. The director shall forward to the city plan commission a complete record of the matter being appealed, including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission determines that new testimony or evidence exists that was not available at the landmark commission hearing, the city plan commission shall remand the case back to the landmark commission in accordance with Subsection (c). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (c). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.

(8) Reapplication. If a final decision is reached denying a predesignation certificate of appropriateness, no further applications may be considered for the subject matter of the denied predesignation certificate of appropriateness unless the predesignation certificate of

appropriateness has been denied without prejudice or the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request for a new hearing.

(9) Suspension of work After the work authorized by the predesignation certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.

(10) Revocation The director may, in writing, revoke a predesignation certificate of appropriateness if:

(A) the predesignation certificate of appropriateness was issued on the basis of incorrect information supplied;

(B) the predesignation certificate of appropriateness was issued in violation of the regulations contained in this section, the proposed preservation criteria, or the development code or building codes; or

(C) the work is not performed in accordance with the predesignation certificate of appropriateness, the development code, or building codes.

(11) Amendments to a predesignation certificate of appropriateness A predesignation certificate of appropriateness may be amended by submitting an application for amendment to the director. The application shall then be subject to the standard predesignation certificate of appropriateness review procedure.

(12) Effect of approval of the historic overlay district A predesignation certificate of appropriateness will be treated as a certificate of appropriateness after the effective date of the ordinance implementing the historic overlay district.

(e) Additional uses and regulations

(1) A historic overlay district is a zoning overlay which supplements the primary underlying zoning district classification. A historic overlay district is subject to the regulations of the underlying zoning district, except the ordinance establishing the historic overlay district may permit additional uses and provide additional regulations for the historic overlay district.

(2) If there is a conflict, the regulations contained in the historic overlay district ordinance control over the regulations of the underlying zoning district. If there is a conflict, the regulations contained in the historic overlay district ordinance control over the regulations of this section.

(3) The historic overlay district ordinance may include preservation criteria for the interior of historic structures if the interior is customarily open and accessible to the public and the interior has extraordinary architectural, archaeological, cultural, economic, social, ethnic, political or historical value. Unless there are specific provisions for the interior, the preservation criteria in the historic overlay district ordinance and the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties apply only to the exterior of structures within a historic overlay district.

(4) The landmark commission shall consider the Secretary of the Interior's Standards for the Rehabilitation of Historic Properties ("the Standards"), as amended, when reviewing applications for predesignation and standard certificates of appropriateness. Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. The Standards are common sense principles in non-technical language developed to help promote consistent rehabilitation practices. It should be understood that the Standards are a series of concepts about maintaining, repairing, and replacing historic materials, as well as designing new additions or making alterations; as such, they cannot, in and of themselves, be used to make essential decisions about which features of a historic property should be saved and which might be changed. The director shall make the current Standards available for public inspection at all times. For informational purposes, the Standards published at Section 68.3 of Title 36 of the Code of Federal Regulations (current through January 1, 2001) are set forth below:

(A) A property will be used as it was historically or be given a new use that requires minimal changes to its distinctive materials, features, spaces and spatial relationships.

(B) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

(C) Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

(D) Changes to a property that have acquired historic significance in their own right will be retained and preserved.

(E) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

(F) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

(G) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

(H) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

(I) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

(J) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

(f) Notice of designation.

(1) Upon passage of a historic overlay district ordinance, the director shall send a notice to the owner or owners of property within the historic overlay district stating the effect of the designation, the regulations governing the historic overlay district, and the historic preservation incentives that may be available.

(2) Upon passage of a historic overlay district ordinance, the director shall file a copy of the ordinance in the county deed records to give notice of the historic regulations. Pursuant to Texas Local Government Code Section 315.006, the director shall also file in the county deed records a verified written instrument listing each historic structure or property by the street address, if available, the legal description of the real property, and the name of the owner, if available.

(3) The director may erect suitable plaques appropriately identifying each historic overlay district.

(g) Certificate of appropriateness.

(1) When required. A person shall not alter a site within a historic overlay district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with this subsection and the regulations and preservation criteria contained and in the historic overlay district ordinance.

(2) Penalty. A person who violates this subsection is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.

(3) Application. An application for a certificate of appropriateness must be submitted to the director. The application must include complete documentation of the proposed work. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. No application shall be deemed to be filed until it is made on forms promulgated by the director and contains all required supporting plans, designs, photographs, reports, and other exhibits required by the director. The applicant may consult with the department before and after the submission of an application.

(4) Director's determination of procedure. Upon receipt of an application for a certificate of appropriateness, the director shall determine whether the application is to be reviewed under the routine work review procedure or the standard certificate of appropriateness review procedure.

(5) Routine maintenance work review procedure.

(A) If the director determines that the applicant is seeking a certificate of appropriateness to authorize only routine maintenance work, he may review the application to determine whether the proposed work complies with the regulations contained in this section and the preservation criteria contained in the historic overlay district ordinance and approve or deny the application within 20 days after a complete application is filed. The applicant must supply complete documentation of the work. Upon request, staff will forward copies of applications to the task force. The director may forward any application to the landmark commission for review.

(B) Routine maintenance work includes:

(i) the installation of a chimney located on an accessory building or on the rear 50 percent of a main building and not part of the corner side facade;

(ii) the installation of an awning located on an accessory building, or on the rear facade of a main building;

(iii) the replacement of a roof of the same or an original material that does not include a change in color;

(iv) the installation of a wood or chain link fence that is not painted or stained;

(v) the installation of gutters and downspouts of a color that matches or complements the dominant trim or roof color;

(vi) the installation of skylights and solar panels;

(vii) the installation of storm windows and doors;

(viii) the installation of window and door screens;

(ix) the application of paint that is the same as the existing or that is an appropriate dominant, trim, or accent color;

(x) the restoration of original architectural elements;

(xi) minor repair using the same material and design as the original;

(xii) repair of sidewalks and driveways using the same type and color of materials;

(xiii) the process of cleaning (including but not limited to low-pressure water blasting and stripping), but excluding sandblasting and high-pressure water blasting; and



(xiv) painting, replacing, duplicating, or stabilizing deteriorated or damaged architectural features (including but not limited to roofing, windows, columns, and siding) in order to maintain the structure and to slow deterioration.

(C) The applicant may appeal the director's decision by submitting to the director a written request for appeal within 10 days of the decision. The written request for appeal starts the standard certificate of appropriateness review procedure by the landmark commission.

(6) Standard certificate of appropriate-ness review procedure.

(A) If the director determines that the applicant is seeking a certificate of appropriateness to authorize work that is not routine maintenance work, or if the director's decision concerning a certificate of appropriateness to authorize only routine maintenance work is appealed, the director shall immediately forward the application to the landmark commission for review.

(B) Upon receipt of an application for a certificate of appropriateness, the director shall determine whether the structure is contributing or noncontributing. Within 40 days after a complete application is filed for a noncontributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the application and forward its decision to the director. Within 65 days after a complete application is filed for a contributing structure, the landmark commission shall hold a public hearing and shall approve, deny with prejudice, or deny without prejudice the certificate of appropriateness and forward its decision to the director. The landmark commission may approve a certificate of appropriateness for work that does not strictly comply with the preservation criteria upon a finding that the proposed work is historically accurate and is consistent with the spirit and intent of the preservation criteria and that the proposed work will not adversely affect the historic character of the property or the integrity of the historic overlay district. The landmark commission may impose conditions on the certificate of appropriateness. The applicant has the burden of proof to establish the necessary facts to warrant favorable action. The director shall immediately notify the applicant of the landmark commission's action. The landmark commission's decision must be in writing and, if the decision is to deny the certificate of appropriateness, with or without prejudice, the writing must state the reasons why the certificate of appropriateness is denied.

(C) Standard for approval. The landmark commission must grant the application if it determines that:

(i) for contributing structures:

(aa) the proposed work is consistent with the regulations contained in this section and the preservation criteria contained in the historic overlay district ordinance;

(bb) the proposed work will not have an adverse effect on the architectural features of the structure;

(cc) the proposed work will not have an adverse effect on the historic overlay district; and

(dd) the proposed work will not have an adverse effect on the future preservation, maintenance and use of the structure or the historic overlay district.

(ii) for noncontributing structures, the proposed work is compatible with the historic overlay district.

(D) Issuance. If a certificate of appropriateness has been approved by the landmark commission or if final action has not been taken by the landmark commission within 40 days (for a noncontributing structure) or 65 days (for a contributing structure) after a complete application is filed:

(i) the director shall issue the certificate of appropriateness to the applicant; and

(ii) if all requirements of the development and building codes are met and a building permit is required for the proposed work, the building official shall issue a building permit to the applicant for the proposed work.

(E) Appeal. If a certificate of appropriateness is denied, the chair of the landmark commission shall verbally inform the applicant of the right to appeal to the city plan commission. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. The applicant may appeal the denial to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. The director shall forward to the city plan commission a complete record of the matter being appealed, including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission determines that new testimony or evidence exists that was not available at the landmark commission hearing, the city plan commission shall remand the case back to the landmark commission in accordance with Subsection (c). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (c). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.

(F) Reapplication. If a final decision is reached denying a certificate of appropriateness, no further applications may be considered for the subject matter of the denied certificate of appropriateness for one year from the date of the final decision unless:

(i) the certificate of appropriateness has been denied without prejudice, or

(ii) the landmark commission waives the time limitation because the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request for waiver of the time limitation.

(G) Suspension of work. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.

(H) Revocation. The director may, in writing, revoke a certificate of appropriateness if:

(i) the certificate of appropriateness was issued on the basis of incorrect information supplied;

(ii) the certificate of appropriateness was issued in violation of the regulations contained in this section, the preservation criteria contained in the historic overlay district ordinance, the development code, or building codes; or

(iii) the work is not performed in accordance with the certificate of appropriateness, the development code, or building codes.

(I) Amendments to a certificate of appropriateness. A certificate of appropriateness may be amended by submitting an application for amendment to the director. The application shall then be subject to the standard certificate of appropriateness review procedure.

(8) Emergency procedure. If a structure on a property subject to the predesignation moratorium or a structure in a historic overlay district is damaged and the building official determines that the structure is a public safety hazard or will suffer additional damage without immediate repair, the building official may allow the property owner to temporarily protect the structure. In such a case, the property owner shall apply for a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition or removal within 10 days of the occurrence which caused the damage. The protection authorized under this subsection must not permanently alter the architectural features of the structure.

(h) Certificate for demolition or removal.

(1) Findings and purpose. Demolition or removal of a historic structure constitutes an irreplaceable loss to the quality and character of the city. Therefore, demolition or removal of historic structures should be allowed only for the reasons described in this subsection.

(2) Application. A property owner seeking demolition or removal of a structure on a property subject to the predesignation moratorium or a structure in a historic overlay district must submit a complete application for a certificate for demolition or removal to the landmark commission. Within 10 days after submission of an application, the director shall notify the applicant in writing of any additional documentation required. The application must be accompanied by the following documentation before it will be considered complete:

(A) An affidavit in which the owner swears or affirms that all information submitted in the application is true and correct.

(B) An indication that the demolition or removal is sought for one or more of the following reasons:

(i) To replace the structure with a new structure that is more appropriate and compatible with the historic overlay district.

(ii) No economically viable use of the property exists.

(iii) The structure poses an imminent threat to public health or safety.

(iv) The structure is non-contributing to the historic overlay district because it is newer than the period of historic significance.

(C) For an application to replace the structure with a new structure that is more appropriate and compatible with the historic overlay district:

(i) Records depicting the original construction of the structure, including drawings, pictures, or written descriptions.

(ii) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions.

(iii) Any conditions proposed to be placed voluntarily on the new structure that would mitigate the loss of the structure.

(iv) Complete architectural drawings of the new structure.

(v) A guarantee agreement between the owner and the city that demonstrates the owner's intent and financial ability to construct the new structure. The guarantee agreement must:

(aa) contain a covenant to construct the proposed structure by a specific date in accordance with architectural drawings approved by the city through the predesignation certificate of appropriateness process or the certificate of appropriateness process;

(bb) require the owner or construction contractor to post a performance and payment bond, letter of credit, escrow agreement, cash deposit, or other arrangement acceptable to the director to ensure construction of the new structure; and

(cc) be approved as to form by the city attorney.

(D) For an application of no economically viable use of the property:

(i) The past and current uses of the structure and property.

(ii) The name of the owner.

(iii) If the owner is a legal entity, the type of entity and states in which it is registered.

(iv) The date and price of purchase or other acquisition of the structure and property, and the party from whom acquired, and the owner's current basis in the property.

(v) The relationship, if any, between the owner and the party from whom the structure and property were acquired. (If one or both parties to the transaction were legal entities, any relationships between the officers and the board of directors of the entities must be specified.)

(vi) The assessed value of the structure and property according to the two most recent tax assessments.

(vii) The amount of real estate taxes on the structure and property for the previous two years.

(viii) The current fair market value of the structure and property as determined by an independent licensed appraiser.

(ix) All appraisals obtained by the owner and prospective purchasers within the previous two years in connection with the potential or actual purchase, financing, or ownership of the structure and property.

(x) All listings of the structure and property for sale or rent within the previous two years, prices asked, and offers received.

(xi) A profit and loss statement for the property and structure containing the annual gross income for the previous two years; itemized expenses (including operating and maintenance costs) for the previous two years, including proof that adequate and competent management procedures were followed; the annual cash flow for the previous two years; and proof that the owner has made reasonable efforts to obtain a reasonable rate of return on the owner's investment and labor.

(xii) A mortgage history of the property during the previous five years, including the principal balances and interest rates on the mortgages and the annual debt services on the structure and property.

(xiii) All capital expenditures during the current ownership.

(xiv) Records depicting the current conditions of the structure and property, including drawings, pictures, or written descriptions.

(xv) A study of restoration of the structure or property, performed by a licensed architect, engineer or financial analyst, analyzing the physical feasibility (including architectural and engineering analyses) and financial feasibility (including pro forma profit and loss statements for a ten year period, taking into consideration redevelopment options and all incentives available) of adaptive use or restoration of the structure and property.

(xvi) Any consideration given by the owner to profitable adaptive uses for the structure and property.

(xvii) Construction plans for any proposed development or adaptive reuse, including site plans, floor plans, and elevations.

(xviii) Any conditions proposed to be placed voluntarily on new development that would mitigate the loss of the structure.

(xix) Any other evidence that shows that the affirmative obligation to maintain the structure or property makes it impossible to realize a reasonable rate of return.

(E) For an application to demolish or remove a structure that poses an imminent threat to public health or safety.

(i) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions.

(ii) A study regarding the nature, imminence, and severity of the threat, as performed by a licensed architect or engineer.

(iii) A study regarding both the cost of restoration of the structure and the feasibility (including architectural and engineering analyses) of restoration of the structure, as performed by a licensed architect or engineer.

(F) For an application to demolish or remove a structure that is noncontributing to the historic overlay district because the structure is newer than the period of historic significance:

(i) Documentation that the structure is noncontributing to the historic overlay district.

(ii) Documentation of the age of the structure.

(iii) A statement of the purpose of the demolition.

(G) Any other evidence the property owner wishes to submit in support of the application.

(H) Any other evidence requested by the landmark commission or the historic preservation officer.

(3) Certificate of demolition or removal review procedure

(A) Economic review panel. For an application of no economically viable use of the property, the landmark commission shall cause to be established an ad hoc three-person economic review panel. The economic review panel must be comprised of three independent experts knowledgeable in the economics of real estate, renovation, and redevelopment. "Independent" as used in this subparagraph means that the expert has no financial interest in the property, its renovation, or redevelopment; is not an employee of the property owner; is not a city employee; is not a member of the landmark commission; and is not compensated for serving on the economic review panel. The economic review panel must consist of one person selected by the landmark commission, one person selected by the property owner, and one person selected by the first two appointees. If the first two appointees cannot agree on a third appointee within 30 days after submission of the documentation supporting the application, the third appointee will be selected by the director within 5 days. Within 35 days after submission of the documentation supporting the application, all appointments to the economic review panel shall be made. Within 35 days after appointment, the economic review panel shall review the submitted documentation, hold a public hearing, consider all options for renovation, adaptive reuse, and redevelopment, and forward a written recommendation to the landmark commission. The historic preservation officer shall provide administrative support to the economic

review panel. The economic review panel's recommendation must be based on the same standard for approval to be used by the landmark commission. An application of no economically viable use will not be considered complete until the economic review panel has made its recommendation to the landmark commission. If the economic review panel is unable to reach a consensus, the report will indicate the majority and minority recommendations.

(B) Within 65 days after submission of a complete application, the landmark commission shall hold a public hearing and shall approve or deny the application. If the landmark commission does not make a final decision within that time, the building official shall issue a permit to allow the requested demolition or removal. The property owner has the burden of proof to establish by clear and convincing evidence the necessary facts to warrant favorable action by the landmark commission.

(4) Standard for approval. The landmark commission shall deny the application unless it makes the following findings:

(A) The landmark commission must deny an application to replace a structure with a new structure unless it finds that:

(i) the new structure is more appropriate and compatible with the historic overlay district than the structure to be demolished or removed; and

(ii) the owner has the financial ability and intent to build the new structure. The landmark commission must first approve the predesignation certificate of appropriateness or certificate of appropriateness for the proposed new structure and the guarantee agreement to construct the new structure before it may consider the application to demolish or remove.

(B) The landmark commission must deny an application of no economically viable use of the property unless it finds that:

(i) 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);

(ii) 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

(iii) 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.

(C) The landmark commission must deny an application to demolish or remove a structure that poses an imminent threat to public health or safety unless it finds that:

(i) the structure constitutes a documented major and imminent threat to public health and safety;

(ii) the demolition or removal is required to alleviate the threat to public health and safety; and

(iii) there is no reasonable way, other than demolition or removal, to eliminate the threat in a timely manner.

(D) The landmark commission must deny an application to demolish or remove a structure that is noncontributing to the historic overlay district because it is newer than the period of historic significance unless it finds that:

(i) the structure is non-contributing to the historic overlay district;

(ii) the structure is newer than the period of historic significance for the historic overlay district; and

(iii) demolition of the structure will not adversely affect the historic character of the property or the integrity of the historic overlay district.

(5) Appeal. The chair of the landmark commission shall give verbal notice of the right to appeal at the time a decision on the application is made. If the applicant is not present at the hearing, the director shall inform the applicant of the right to appeal in writing within 10 days after the hearing. Any interested person may appeal the decision of the landmark commission to the city plan commission by filing a written notice with the director within 30 days after the date of the decision of the landmark commission. If no appeal is made of a decision to approve the certificate for demolition or removal within the 30-day period, the building official shall issue the permit to allow demolition or removal. If an appeal is filed, the city plan commission shall hear and decide the appeal within 65 days after the date of its filing. The director shall forward to the city plan commission a complete record of the matter being appealed, including a transcript of the tape of the hearing before the landmark commission. In considering an appeal, the city plan commission shall review the landmark commission record and hear and consider arguments from the appellant and the representative for the landmark commission. The city plan commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the landmark commission to determine whether that testimony or evidence was available at the landmark commission hearing. If the city plan commission determines that new testimony or evidence exists that was not available at the landmark commission hearing, the city plan commission shall remand the case back to the landmark commission in accordance with Subsection (o). In reviewing the landmark commission decision the city plan commission shall use the substantial evidence standard in Subsection (o). The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings. Appeal to the city plan commission constitutes the final administrative remedy.

(6) Reapplication. If a final decision is reached denying a certificate for demolition or removal, no further applications may be considered for the subject matter of the denied certificate for demolition or removal for one year from the date of the final decision unless:

(A) the certificate for demolition or removal has been denied without prejudice; or

(B) the landmark commission waives the time limitation because the landmark commission finds that there are changed circumstances sufficient to warrant a new hearing. A simple majority vote by the landmark commission is required to grant the request.

for waiver of the time limitation

(7) Expiration. A certificate for demolition or removal expires if the work authorized by the certificate for demolition or removal is not commenced within 180 days from the date of the certificate for demolition or removal. The director may extend the time for commencement of work upon written request by the applicant showing circumstances beyond the control of the applicant. If the certificate for demolition or removal expires, a new certificate for demolition or removal must first be obtained before the work can be commenced.

(i) Certificate for demolition for a residential structure with no more than 3,000 square feet of floor area pursuant to court order

(1) Findings and purpose. Demolition of a historic structure constitutes an irreplaceable loss to the quality and character of the city. Elimination of substandard structures that have been declared urban nuisances and ordered demolished pursuant to court order is necessary to prevent blight and safeguard the public health, safety, and welfare. Therefore, the procedures in this subsection seek to preserve historic structures while eliminating urban nuisances.

(2) Notice to landmark commission by email. A requirement of this subsection that the landmark commission be provided written notice of a matter is satisfied if an email containing the required information is sent to every member of the landmark commission who has provided an email address to the director.

(3) Referral of demolition request to landmark commission and director. When a city department requests the city attorney's office to seek an order from a court or other tribunal requiring demolition of a residential structure with no more than 3,000 square feet of floor area on a property subject to a predesignation moratorium or in a historic overlay district, that department shall provide written notice to the landmark commission and director of that request within two business days after the date it makes the request. The notice must include a photograph of the structure, the address of the property, and (if known) the name, address, and telephone number of the property owner. If the city attorney's office determines that the department did not provide the required notice, the city attorney's office shall provide that notice within two business days after the date it determines that the department did not provide the notice.

(4) Notice of court proceedings to landmark commission and director. The city attorney's office shall provide written notice to the landmark commission and director at least 10 days before any hearing before a court or other tribunal where the city attorney's office seeks an order requiring demolition of a residential structure with no more than 3,000 square feet of floor area subject to a predesignation moratorium or in a historic overlay district. If a court or other tribunal orders demolition of the structure subject to a predesignation moratorium or in a historic overlay district, the city attorney's office shall provide written notice to the landmark commission and director within five days after the order is signed and provided to the city attorney's office.

(5) Application. If the city or a property owner seeks demolition of a residential structure with no more than 3,000 square feet of floor area subject to a predesignation moratorium or in a historic overlay district pursuant to an order from a court or other tribunal requiring demolition obtained by the city, a complete application for a certificate for demolition must be submitted to the landmark commission. Within 10 days after submission of an application, the director shall notify the city's representative or the property owner in writing of any documentation required but not submitted. The application must be accompanied by the following documentation before it will be considered complete:

(A) An affidavit in which the city representative or the property owner affirms that all information submitted in the application is correct.

(B) Records depicting the current condition of the structure, including drawings, pictures, or written descriptions, and including Historic American Buildings Survey or Historic American Engineering Records documentation if required by law or agreement.

(C) A signed order from a court or other tribunal requiring the demolition of the structure in a proceeding brought pursuant to Texas Local Government Code Chapters 54 or 214, as amended.

(D) A copy of a written notice of intent to apply for a certificate for demolition that was submitted to the director and the landmark commission at least 30 days before the application.

(E) Any other evidence the city representative or property owner wishes to submit in support of the application.

(6) Hearing. Within 40 days after submission of a complete application, the landmark commission shall hold a public hearing to determine whether the structure should be demolished. If the landmark commission does not make a final decision on the application or suspend the granting of the certificate of demolition pursuant to this subsection within that time, the building official shall issue a demolition permit to allow the demolition. The city representative or the property owner has the burden of proof to establish by a preponderance of the evidence the necessary facts to warrant favorable action by the landmark commission.

(7) Standard for approval. The landmark commission shall approve the certificate for demolition if it finds that:

(A) a court or other tribunal has issued a final order requiring the demolition of the structure pursuant to Texas Local Government Code Chapters 54 or 214, as amended; and

(B) suspension of the certificate for demolition is not a feasible option to alleviate the nuisance in a timely manner.

(8) Suspension. The purpose of the suspension periods is to allow an interested party to rehabilitate the structure as an alternative to demolition.

(A) Residential structures with no more than 3,000 square feet of floor area.

(i) Initial suspension period

(aa) The landmark commission may suspend the granting of the certificate for demolition until the next regularly scheduled

landmark commission meeting (the initial suspension period) to allow time to find a party interested in rehabilitating the structure

(bb) If during the initial suspension period no interested party is identified, the landmark commission shall grant the certificate for demolition.

(cc) If during the initial suspension period an interested party is identified, the landmark commission shall suspend the granting of the certificate for demolition for no more than two more regularly scheduled landmark commission meetings (the extended suspension period)

(ii) Extended suspension period.

(aa) During the extended suspension period, the interested party shall

[1] submit an application for a predesignation certificate of appropriateness or a certificate of appropriateness.

[2] provide evidence that the interested party has or will obtain title to the property and has authority to rehabilitate the structure, or is authorized to rehabilitate the property by a party who has title to the property or has the right to rehabilitate the property;

[3] provide evidence that the structure and property have been secured to prevent unauthorized entry; and

[4] provide a guarantee agreement that:

[A] contains a covenant to rehabilitate the structure by a specific date, in accordance with the predesignation certificate of appropriateness process or certificate of appropriateness, which the landmark commission may extend if the interested party shows circumstances preventing rehabilitation of the structure by that date that are beyond the control of the interested party;

[B] is supported by a performance and payment bond, letter of credit, escrow agreement, cash deposit, or other similar enforceable arrangement acceptable to the director to ensure rehabilitation of the structure; and

[C] is approved as to form by the city attorney

(bb) If during the extended suspension period the interested party does not meet the requirements of Subparagraph (A)(ii), the landmark commission shall grant the certificate for demolition.

(cc) If during the extended suspension period the interested party meets the requirements of Subparagraph (A)(ii), the landmark commission shall continue to suspend the granting of the certificate for demolition (the continuing suspension period).

(iii) Continuing suspension period.

(aa) The interested party must rehabilitate the structure to comply with Dallas City Code Chapter 27 and request an inspection by the city before the end of the continuing suspension period.

(bb) At each landmark commission meeting during the continuing suspension period, the interested party shall provide a progress report demonstrating that reasonable and continuous progress is being made toward completion of the rehabilitation

(cc) If during the continuing suspension period the landmark commission finds that the interested party is not making reasonable and continuous progress toward completion of the rehabilitation, the landmark commission shall grant the certificate for demolition, unless the interested party shows circumstances preventing reasonable and continuous progress that are beyond the control of the interested party.

(dd) If during the continuing suspension period the landmark commission finds that the interested party has rehabilitated the structure to comply with Dallas City Code Chapter 27, the landmark commission shall deny the certificate for demolition.

(9) Appeal. The city representative or property owner may appeal a decision of the landmark commission under this subsection to the city plan commission by filing a written notice with the director within 10 days after the date of the decision of the landmark commission. The city plan commission shall hear and decide the appeal at the next available city plan commission meeting. The standard of review shall be *de novo*, but the director shall forward to the city plan commission a transcript of the landmark commission hearing. In considering the appeal, the city plan commission may not hear or consider new evidence unless the evidence corrects a misstatement or material omission at the landmark commission hearing or the evidence shows that the condition of the property has changed since the landmark commission hearing. The city plan commission chair shall rule on the admissibility of new evidence. The city plan commission shall use the same standard required for the landmark commission. The city plan commission may reverse or affirm, in whole or in part, modify the decision of the landmark commission, or remand any case back to the landmark commission for further proceedings; however, the city plan commission shall give deference to the decision of the landmark commission. Appeal to the city plan commission constitutes the final administrative remedy.

(10) Expiration. A certificate for demolition expires if the work authorized by the certificate for demolition is not commenced within 180 days after the date of the certificate for demolition. The director may extend the time for commencement of work upon written request by the city representative or the property owner showing circumstances justifying the extension. If the certificate for demolition expires, a new certificate for demolition must first be obtained before the work can be commenced.

(11) Procedures for all other structures. If the city or a property owner seeks demolition of any structure other than a residential structure with no more than 3,000 square feet of floor area subject to a predesignation moratorium or in a historic overlay district pursuant to an order from a court or other tribunal requiring demolition obtained by the city, an application must be filed under Subsection (ii) of this section

(j) Summary abatement by fire marshal. If the fire marshal finds that conditions on a structure subject to a predesignation moratorium

or in a historic overlay district are hazardous to life or property and present a clear and present danger, the fire marshal may summarily abate those conditions without a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition.

(k) Demolition by neglect.

(1) Definition. Demolition by neglect is neglect in the maintenance of any structure on property subject to the predesignation moratorium or in a historic overlay district that results in deterioration of the structure and threatens the preservation of the structure.

(2) Demolition by neglect prohibited. No person shall allow a structure to deteriorate through demolition by neglect. All structures on properties subject to the predesignation moratorium and in historic overlay districts must be preserved against deterioration and kept free from structural defects. The property owner or the property owner's agent with control over the structure, in keeping with the city's minimum housing standards and building codes, must repair the structure if it is found to have any of the following defects:

- (A) Parts which are improperly or inadequately attached so that they may fall and injure persons or property
- (B) A deteriorated or inadequate foundation.
- (C) Defective or deteriorated floor supports or floor supports that are insufficient to carry the loads imposed
- (D) Walls, partitions, or other vertical supports that split, lean, list, or buckle due to defect or deterioration, or are insufficient to carry the loads imposed.
- (E) Ceilings, roofs, ceiling or roof supports, or other horizontal members which sag, split, or buckle due to defect or deterioration, or are insufficient to support the loads imposed.
- (F) Fireplaces and chimneys which list, bulge, or settle due to defect or deterioration, or are of insufficient size or strength to carry the loads imposed.
- (G) Deteriorated, crumbling, or loose exterior stucco or mortar.
- (H) Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations, or floors, including broken or open windows and doors.
- (I) Defective or lack of weather protection for exterior wall coverings, including lack of paint or other protective covering.
- (J) Any fault, defect, or condition in the structure which renders it structurally unsafe or not properly watertight.
- (K) Deterioration of any exterior feature so as to create a hazardous condition which could make demolition necessary for the public safety
- (L) Deterioration or removal of any unique architectural feature which would detract from the original architectural style

(3) Demolition by neglect procedure.

(A) Purpose. The purpose of the demolition by neglect procedure is to allow the landmark commission to work with the property owner to encourage maintenance and stabilization of the structure and identify resources available before any enforcement action is taken

(B) Request for investigation. Any interested party may request that the historic preservation officer investigate whether a property is being demolished by neglect

(C) First meeting with the property owner. Upon receipt of a request, the historic preservation officer shall meet with the property owner or the property owner's agent with control of the structure to inspect the structure and discuss the resources available for financing any necessary repairs. After the meeting, the historic preservation officer shall prepare a report for the landmark commission on the condition of the structure, the repairs needed to maintain and stabilize the structure, any resources available for financing the repairs, and the amount of time needed to complete the repairs.

(D) Certification and notice. After review of the report, the landmark commission may vote to certify the property as a demolition by neglect case. If the landmark commission certifies the structure as a demolition by neglect case, the landmark commission shall notify the property owner or the property owner's agent with control over the structure of the repairs that must be made. The notice must require that repairs be started within 30 days and set a deadline for completion of the repairs. The notice must be sent by certified mail.

(E) Second meeting with the property owner. The historic preservation officer shall meet with the property owner or the property owner's agent with control over the structure within 30 days after the notice was sent to inspect any repairs completed and assist the property owner in obtaining any resources available for financing the repairs.

(F) Referral for enforcement. If the property owner or the property owner's agent with control over the structure fails to start repairs by the deadline set in the notice, fails to make continuous progress toward completion, or fails to complete repairs by the deadline set in the notice, the landmark commission may refer the demolition by neglect case to the code compliance department or the city attorney for appropriate enforcement action to prevent demolition by neglect

(I) Historic preservation incentives. Consult Article XI, "Development Incentives," for regulations concerning the tax exemptions, conservation easements, and transfer of development rights available to structures in historic overlay districts

(m) Historic preservation fund.

(1) The department, in cooperation with community organizations, shall develop appropriate funding structures and shall administer the historic preservation fund

(2) The historic preservation fund is composed of the following funds:

(A) Outside funding (other than city general funds or capital funds), such as grants and donations, made to the city for the purpose of historic preservation and funding partnerships with community organizations.

(B) Damages recovered pursuant to Texas Local Government Code Section 315.006 from persons who illegally demolish or adversely affect historic structures.

(3) The outside funding may be used for financing the following activities:

(A) Necessary repairs in demolition by neglect cases.

(B) Full or partial restoration of low-income residential and nonresidential structures.

(C) Full or partial restoration of publicly owned historic structures.

(D) Acquisition of historic structures, places, or areas through gift or purchase.

(E) Public education of the benefits of historic preservation or the regulations governing historic overlay districts.

(F) Identification and cataloging of structures, places, areas, and districts of historical, cultural, or architectural value along with factual verification of their significance.

(4) Damages recovered pursuant to Texas Local Government Code Section 315.006 must be used only for the following purposes:

(A) Construction, using as many of the original materials as possible, of a structure that is a reasonable facsimile of a demolished historic structure.

(B) Restoration, using as many of the original materials as possible, of the historic structure.

(C) Restoration of another historic structure.

(n) Enforcement and criminal penalties

(1) A person is criminally responsible for a violation of this section if:

(A) the person owns part or all of the property and knowingly allows the violation to exist;

(B) the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials;

(C) the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property; or

(D) the person knowingly commits the violation or assists in the commission of the violation.

(2) Any person who adversely affects or demolishes a structure on property subject to the predesignation moratorium or in a historic overlay district in violation of this section is liable pursuant to Texas Local Government Code Section 315.006 for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No predesignation certificates of appropriateness, certificates of appropriateness, or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.

(3) Prosecution in municipal court for an offense under this section does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense.

(o) Substantial evidence standard of review for appeals. The city plan commission shall give deference to the landmark commission decision and may not substitute its judgment for the landmark commission's judgment.

(1) The city plan commission shall remand the matter back to the landmark commission if it determines that there is new testimony or evidence that was not available at the landmark commission hearing.

(2) The city plan commission shall affirm the landmark commission decision unless it finds that it:

(A) violates a statutory or ordinance provision;

(B) exceeds the landmark commission's authority; or

(C) was not reasonably supported by substantial evidence considering the evidence in the record.

(p) Judicial review of decisions. The final decision of the city planning commission regarding an appeal of a landmark commission decision may be appealed to a state district court. The appeal to the state district court must be filed within 30 days after the decision of the city planning commission. If no appeal is made to the state district court within the 30-day period, then the decision of the city plan commission is final and unappealable. An appeal to the state district court is limited to a hearing under the substantial evidence rule (Ord. Nos. 19455; 19499; 20585; 21244, 21403; 21513; 21874; 22018, 23506; 23898; 24163, 24542, 24544; 25047; 26286; 27430; 27922, 28073, 28553; 29478. eff. 10-1-14, [§14.33](#).)



973677

11-5-97

ORDINANCE NO. 23328

An ordinance amending CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, by establishing Historic Overlay District No. 84 (Lake Cliff Historic District) comprised of the following described property ("the Property"), to wit:

BEING an area generally bounded by Colorado Boulevard, Marsalis Avenue, Sixth Street, Beckley Avenue and Zang Boulevard, and containing approximately 97.9 acres of land.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the applicable ordinances of the city, have given the required notices and have held the required public hearings regarding the rezoning of the Property; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to establish this historic overlay district; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended by establishing Historic Overlay District No. 84 comprised of the following described property ("the Property"), to wit:

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BEING a tract of land in the Elizabeth Robertson Survey, Abstract No. 1211, in the City of Dallas, Dallas County, Texas, and being in City Blocks 3421, 3434, 3435, 39/3020, 38/3019, 40/3021, 41/3022, 56/3037, 55/3036, 59/3040, 60/3041, 71/3052, 72/3053, 73/3054, C/3123, B/3432, A/3432, 3/3039 2/3038, 3/3433, 2/3433, 1/3433, and 3338, and being more particularly described as follows:

BEGINNING at the intersection of the north line of Sixth Street and the east line of Beckley Avenue;

THENCE in a northerly direction along the east line of Beckley Avenue to a point for corner on the common line between Lots 8 and 9 in City Block 1/3433;

THENCE in an easterly direction along said common lot line and its eastward prolongation to a point for corner on the centerline of a 15 foot wide public alley in City Block 1/3433;

THENCE in a southerly direction along the centerline of said alley to a point for corner on the westward prolongation of the common line between Lots 23 and 24 in City Block 1/3433;

THENCE in an easterly direction along the westward prolongation of said common lot line, and continuing in an easterly direction along said common lot line and its eastward prolongation to point for corner in the east line of Crawford Street;

THENCE in a northerly direction along the east line of Crawford Street to a point for corner on the southeast line of Zang Boulevard;

THENCE in a northeasterly direction along the southeast line of Zang Boulevard, crossing Colorado Boulevard, to a point for corner on a line that is approximately 500.06 feet North 45°50' East from the most northerly end of a corner clip at the northeast corner of Zang Boulevard and Colorado Boulevard;

THENCE South 40°40'10" East, leaving the southeast line of Zang Boulevard, a distance of approximately 190.0 feet to a point for corner;

THENCE South 44°45'50" West, a distance of 59.93 feet to a point for corner;

THENCE South 06°57'15" East, a distance of 154.98 feet to a point for corner;

THENCE South 42°02' 33" East, a distance of 59.34 feet to a point for corner on the north line of Colorado Boulevard;

THENCE in a southerly direction along a line perpendicular to the north line of Colorado Boulevard, a distance of approximately 100 feet to a point for corner on the south line of Colorado Boulevard;

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THENCE in an easterly direction along the south line of Colorado Boulevard to a point for corner on the west line of Blaylock Street;

THENCE in a southerly direction along the west line of Blaylock Street to a point for corner on a line, said line being 150 feet south of and parallel to the south line of Colorado Boulevard;

THENCE in an easterly direction along said line, crossing Blaylock Street and Marsalis Avenue, a distance of approximately 601.6 feet to a point for corner on the centerline of a 17.2 foot wide public alley;

THENCE in a southerly direction along the centerline of said alley, and continuing in a southerly direction, crossing Comal Street, and continuing along the centerline of an alley in City Block 4/3022, crossing Sabine Street, and continuing in a southerly direction along the centerline of an alley in City Block 55/3036, crossing Fifth Street, and continuing along the centerline of an alley in City Block 60/3041, crossing Sixth Street, and continuing along the centerline of an alley in City Block 71/3052 to a point for corner on a line, said line being 109.6 feet south of and parallel to the south line of Sixth Street;

THENCE in a westerly direction along said line, a distance of approximately 273.75 feet to a point for corner on the west line of Marsalis Avenue;

THENCE in a southerly direction along the west line of Marsalis Avenue to a point for corner on a line, said line being 100 feet north of and parallel to the north line of Seventh Street;

THENCE in a westerly direction along said line, a distance of approximately 260 feet to a point for corner on the centerline of an alley in City Block 72/3053;

THENCE in a northerly direction along the centerline of said alley to a point for corner on a line, said line being 154.3 feet south of and parallel to the south line of Sixth Street;

THENCE in a westerly direction along said line, crossing Star Street and Denver Street, and continuing along the centerline of a 15 foot wide public alley in City Block C/3123, crossing Patton Avenue, and continuing in a westerly direction along a line 145 feet south of and parallel to the south line of Sixth Street to a point for corner on the centerline of Crawford Street;

THENCE in a southerly direction along the centerline of Crawford Street, a distance of 5 feet to a point for corner on a line, said line being 150 feet south of and parallel to the south line of Sixth Street;

THENCE in a westerly direction along said line to a point for corner on the common line between City Blocks 3432 and A/3432;

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THENCE in a northerly direction along said common block line and its northerly prolongation to a point for corner on the north line of Sixth Street;

THENCE in a westerly direction along the north line of Sixth Street to its intersection with the east line of Beckley Avenue, the POINT OF BEGINNING, and containing approximately 97.9 acres of land.

SECTION 2. That the establishment of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the regulations contained in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, or remove any structure on the Property without first obtaining a certificate of appropriateness in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit A.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That the director of planning and development shall correct Zoning District Map Nos. K-7 & L-7 in the offices of the city secretary, the building official, and the department of planning and development to reflect the changes in zoning made by this ordinance.

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SECTION 6. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, or maintenance of a building, structure, or land on the Property.

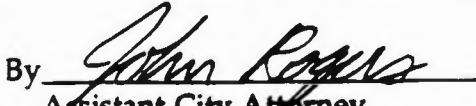
SECTION 7. That CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER I of the Dallas City Code, as amended.

SECTION 9. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so ordained.

APPROVED AS TO FORM:

SAM A. LINDSAY, City Attorney

By   
Assistant City Attorney

Passed NOV 12 1997

**Exhibit A**  
**PRESERVATION CRITERIA**  
**Lake Cliff Historic District**

(The area bounded by Colorado Boulevard, Marsalis Avenue,  
Sixth Street, Beckley Avenue and Zang Boulevard)

**1. GENERAL**

- 1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.
- 1.2 Any alterations to property within this district must comply with the regulations contained in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE" of the Dallas City Code, as amended. In the event of a conflict, these preservation criteria control.
- 1.3 A person may not alter a historic district site, or any portion of the exterior of a structure on the site, or place, construct, maintain, expand, remove, or demolish any structure in the historic district without first obtaining a certificate of appropriateness in accordance with Section 51A-4.501 of the Dallas Development Code, as amended, and the provisions of this ordinance. A person who violates this provision is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.
- 1.4 The certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.
- 1.5 Preservation and restoration materials and methods used must comply with the Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library.
- 1.6 The Landmark Commission may approve a certificate of appropriateness for work that does not strictly comply with these preservation criteria upon a finding that:
  - a. the proposed work is historically accurate and is consistent with the spirit and intent of these preservation criteria; and

- b. the proposed work will not adversely affect the historic character of the property or the integrity of the historic district.

## 2. DEFINITIONS

- 2.1 Unless defined below, the definitions contained in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE", of the Dallas City Code, as amended, apply.
- 2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of the historic district, and consistent with these preservation criteria.
- 2.3 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4-501 of the Dallas Development Code, as amended, and these preservation criteria.
- 2.4 COLUMN means the entire column, including the base and capital.
- 2.5 COMMISSION means the Landmark Commission of the City of Dallas.
- 2.6 CONTRIBUTING STRUCTURE means a structure that retains its essential architectural integrity of design and whose architectural style is typical of or integral to a historic district.
- 2.7 CORNERSIDE FACADE means a facade facing a side street.
- 2.8 CORNERSIDE FENCE means a fence adjacent to a side street.
- 2.9 CORNERSIDE YARD means a side yard abutting a street.
- 2.10 DIRECTOR means the director of the Department of Planning and Development or the Director's representative.
- 2.11 DISTRICT means Historic Overlay District No. 84 the Lake Cliff Historic Overlay District. This district contains the property described in Section 1 of this ordinance and as shown in Exhibit B.
- 2.12 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.
- 2.13 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.

- 2.14 INTERIOR SIDE FACADE means a facade not facing a street or alley.
- 2.15 INTERIOR SIDE FENCE means a fence not adjacent to a street or alley.
- 2.16 INTERIOR SIDE YARD means a side yard not abutting a street or alley.
- 2.17 NO-BUILD ZONE means that part of Lake Cliff Historic District in which no new construction may take place.
- 2.18 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.
- 2.19 REAL ESTATE SIGN means a sign that advertises the sale or lease of an interest in real property.

### 3. BUILDING SITE AND LANDSCAPING

- 3.1 New construction is prohibited in the front yard.
- 3.2 All contributing structures are protected.
- 3.3 New driveways, sidewalks, steps, and walkways must be constructed of brick, brush finish concrete, stone, or other appropriate material. Artificial grass, artificially-colored concrete, asphalt, exposed aggregate, and outdoor carpet are not permitted.
- 3.4 Circular driveways and parking areas are not permitted in a front yard.
- 3.5 Carports or garages are permitted only in the rear yard.
- 3.6 Outdoor lighting must be appropriate and enhance the structure.
- 3.7 Landscaping must be appropriate, enhance the structure and surroundings, and not obscure significant views of protected facades.
- 3.8 It is recommended that landscaping reflect the historic landscape design.
- 3.9 Existing trees are protected, except that unhealthy or damaged trees may be removed.
- 3.10 Any new mechanical equipment may not be erected in the front or side yards, and must be screened. Pay phones may not be erected in front or side yards.



3.11 Fence location.

- a. Historically appropriate fences are permitted in the front yard and may not exceed 3'6" in height and must be 50 percent open. They must be constructed of one or more of the following materials: wood, stone, brick, wrought iron, a combination of those materials, or other materials deemed appropriate. Chain link is not allowed in the front yard.
- b. Interior side yard fences must be located in the rear 50 percent of the interior side yard; this may be a solid fence. Interior side yard fences must be located behind the open front porch of an adjacent house. The portion of the fence in the front 50 percent of the interior side yard and that portion facing the main street must be at least 70 percent open. Chain link fences are not allowed in the front 50 percent of the interior side yard.
- c. Fences in the cornerside yards may be located in the front 50 percent of the cornerside facade; these must be at least 70 percent open. Chain link fences are not allowed.
- d. Solid cornerside fences must not be located directly in front of the cornerside facade except that due to unusual high pedestrian or vehicular traffic a solid fence may be allowed directly in front of any portion of the rear 50 percent of the cornerside facade. This fence must not screen any significant architectural feature of a main structure.
- e. Fence locations are shown in Exhibit C.

3.12 Unless otherwise noted, fences must not exceed 8 feet in height.

3.13 Fences must be constructed of wood, brick, cast stone, wrought iron, stone, wood, a combination of these materials, or other appropriate materials. Chain link is only allowed in the rear 50 percent of the back yard.

3.14 Tops of fences must be horizontal, stepped or parallel to grade as illustrated in Exhibit C.

3.15 The finished side of a fence must face out if seen from any street as illustrated in Exhibit C.

#### 4. FACADES

##### 4.1 Protected facades.

- a. Front, cornerside and interior side facades or contributing structures are protected.
- b. Reconstruction, renovation, repair or maintenance of protected facades must be appropriate and must employ materials similar to the historic materials in texture, color, pattern, grain, and module size.
- c. Historic solid-to-void ratios of protected facades must be maintained.
- d. Brick added to protected facades must match in color, texture, module size, bond pattern, and mortar color.
- e. Brick, cast stone and concrete elements on protected facades may not be painted, except that portions of the structure that had been painted prior to the effective date of this ordinance may remain painted.

##### 4.2 Nonprotected facades.

- a. Reconstruction, renovation, repair, or maintenance of nonprotected facades must be compatible with protected features.

4.3 Wood siding, trim, and detailing must be restored wherever practical.

4.4 All exposed wood must be painted, stained, or otherwise preserved.

4.5 Historic materials must be repaired if possible; they may be replaced only when necessary.

4.6 Paint must be removed in accordance with the Department of Interior standards prior to refinishing.

4.7 Aluminum siding, stucco, and vinyl cladding are not permitted.

##### 4.8 Historic Colors

- a. Historic color must be maintained wherever practical.

- b. Color schemes for non-masonry elements should conform to any available documentation as to historic color.
  - c. All structures must have a dominant color and no more than three trim colors, including any accent colors. Proper location of dominant, trim and accent colors is shown in Exhibit D. The colors of a structure must be complimentary to each other and the overall character of this district. Complimenting color schemes are encouraged through the blockface.
  - d. Wood columns should be painted white or a light color.
- 4.9 Exposing and restoring historic finish materials is recommended.
- 4.10 Cleaning of the exterior of a structure must be in accordance with Department of Interior standards. Sandblasting and other mechanical abrasive cleaning processes are not permitted.

## 5. FENESTRATION AND OPENINGS

- 5.1 Historic doors and windows must remain intact except when replacement is necessary due to damage or deterioration.
- 5.2 Replacement of doors and windows which have been altered and no longer match the historic appearance is recommended.
- 5.3 Replacement doors and windows must express muntin and mullion size, light configuration, and material to match the historic.
- 5.4 Storm doors and windows are permitted if they are appropriate and match the existing doors and windows in width, height, proportion, glazing material, and color. Painted or factory finished aluminum storm doors, storm windows or screens are permitted. Mill finished aluminum is not permitted.
- 5.5 Decorative ironwork and burglar bars are not permitted over doors or windows of protected facades. Interior mounted burglar bars are permitted if appropriate.
- 5.6 Glass and glazing must match historic materials as much as practical. Films and tinted or reflective glazings are not permitted on glass.
- 5.7 New door and window openings in protected facades are permitted only where there is evidence that historic openings have been filled or the safety of life is threatened.

- 5.8 The Secretary of the Interior's Standards for Rehabilitation should be referred to for acceptable techniques to improve the energy efficiency of historic fenestration.

## 6. ROOFS

- 6.1 The historic slope, massing, configuration, and materials of the roof must be preserved and maintained.
- 6.2 The following roofing materials are allowed: clay tiles, composition shingles, slate tiles, terra-cotta tiles and wood shingles. Built-up, metal, single-ply membrane, synthetic wood shingle, and synthetic clay tile roofs are not permitted.
- 6.3 Historic eaves, coping, cornices, dormers, parapets, and roof trim must be retained, and should be repaired with material matching in size, finish, module and color.
- 6.4 Mechanical equipment, skylights, and solar panels on the roof must be placed so that they are not visible to a person standing at ground level on the opposite side of any adjacent right-of-way.

## 7. PORCHES AND BALCONIES.

- 7.1 Historic porches and balconies on protected facades are protected.
- 7.2 Porches and balconies on protected facades may not be enclosed. It is recommended that existing enclosed porches on protected facades be restored to their historic appearance.
- 7.3 Historic columns, detailing, railings, and trim on porches and balconies are protected.
- 7.4 Porch floors must be brick, concrete, stone, or wood. Brick, concrete, or stone porch floors may not be covered with carpet or paint. Wood floors must be painted or stained. A clear sealant is acceptable on porch floors.

## 8. EMBELLISHMENTS AND DETAILING

- 8.1 The following architectural elements are considered important features and are protected: porte cocheres, front porches, historic doors and windows, historic architectural features.

9. **NEW CONSTRUCTION AND ADDITIONS**

- 9.1 Stand-alone new construction is permitted only in the rear yard.
- 9.2 Vertical additions to contributing structures are not permitted.
- 9.3 Horizontal additions to contributing structures are not permitted on protected facades. Any new horizontal additions must be set back ten feet from the front facade.
- 9.4 The color, details, form, materials, and general appearance of new construction, including accessory buildings, and additions must be compatible with the existing historic structure.
- 9.5 New construction and additions must have appropriate color, detailing, fenestration, massing, materials, roof form, shape, and solids-to-voids ratios.
- 9.6 The height of new construction and additions must not exceed the height of the historic structure.
- 9.7 Aluminum siding and vinyl cladding are not permitted.
- 9.8 Chimneys visible from the public right-of-way must be clad in brick or stucco. Imitation brick will be reviewed through the certificate of appropriateness process.
- 9.9 Front yard setback for new construction:
  - a. A main building on an interior lot must have a front yard setback that is within ten feet of the average front yard setback of other structures in the blockface.
  - b. A main building on a corner lot must have a front yard setback that is within ten feet of the front yard setback of the closest main building in the same blockface.
- 9.10 Front, rear, side and comerside yards are illustrated in attached Exhibit E.
- 9.11 New construction and additions must be designed so that connections between new construction or additions and the historic structure are clearly discernible as suggested by the Secretary of the Interior in Preservation Brief No. 14. A clear definition of the transition between new construction or additions and the historic structure must be

established and maintained. Historic details in the coping, eaves and parapet of the historic structure must be preserved and maintained at the point where the historic structure abuts new construction or additions.

## **10. ACCESSORY BUILDINGS**

- 10.1 Accessory buildings are permitted only in the rear yard.
- 10.2 Accessory buildings must be compatible with the scale, shape, roof form, materials, detailing, and color of the main building.
- 10.3 Accessory buildings must be at least 8 feet from the main building.
- 10.4 Accessory buildings must not exceed 1,200 square feet in area, unless documentation shows that an original building exceeding this size was previously on the building site.
- 10.5 Accessory buildings may have garage doors located at the established rear yard setback from the alley if electric garage door openers are installed.
- 10.6 The minimum rear yard setback for accessory structures is 2'6", with a 1'6" roof overhang encroachment permitted.
- 10.7 The minimum side yard setback for accessory structures is 3 feet, with a 1'6" roof overhang encroachment permitted.
- 10.8 Accessory structures may be rebuilt in the location of a former structure if the location of the former structure is properly documented.

## **11. SIGNS**

- 11.1 Temporary political campaign signs as defined in Chapter 15A of the Dallas City Code, as amended, and real estate signs may be erected without a certificate of appropriateness.
- 11.2 Signs may be erected if appropriate.
- 11.3 All signs must comply with the provisions of the Dallas City Code, as amended.

## **12. PRESERVATION CRITERIA FOR LAKE CLIFF PARK**

12.1 These preservation criteria apply to Lake Cliff Park in addition to the general preservation criteria for the district. In the event of a conflict between the Lake Cliff Park preservation criteria and the general preservation criteria for the district, the Lake Cliff Park preservation criteria control.

12.2 Planning Concepts

- a. The historic lake is protected. Enhanced lake management techniques, such as aeration or similar processes may be utilized to prevent deterioration.
- b. The historic topography of the park is protected.
- c. Open areas must remain open.
- d. Placement of trees must reflect the 1944 Hare & Hare Park plan as shown in Exhibit F.
- e. View corridors from the park to downtown must not be obstructed.
- f. The path around the shore of the lake on the 1944 Hare & Hare Park plan may be constructed.
- g. New construction is prohibited in the no-build zones shown on Exhibit F.
- h. Improvements made to increase accessibility for persons with disabilities must be appropriate.

12.3 Landscaping.

- a. **Landscape must be appropriate and reflect the 1944 Hare & Hare Park plan.** Landscape cannot obscure significant views into and within the park (eg: views of the lake, pergola structures, open areas, terraces, etc.) or views from the park (eg: views of downtown, significant adjacent features, etc.)
- b. Existing trees are protected.
- c. Replacement of damaged or unhealthy trees and plants must be with like kind or as specified on the plant list attached as Exhibit G.

- d. Placement of new plants must reflect the 1944 Hare & Hare Park plan.
- e. Planting areas are protected.
- f. Restoration of the historic rose garden is encouraged.
- g. Landscaping edging for plant beds must be flagstone with concrete joints. The stone and joint material must match the original materials in color, texture and size. Railroad ties, wood landscape timbers and other materials are not appropriate, except as replacement of existing materials.
- h. Turf must be a fine blade grass such as Bermuda or Buffalo.
- i. Ground cover or turf may be placed where necessary to prevent erosion. (See Exhibit G for appropriate ground covers.)
- j. To prevent further silt accumulation and erosion, a stone retaining wall at the lake edge may be constructed. The wall may not protrude more than 4 inches above the shore line.
- k. Periodic dredging efforts by the city may be utilized to prevent siltation within the lake.
- l. Lighting.
  - 1. Lighting outdoor lighting must be appropriate and enhance the park and structures.
  - 2. Historic light fixtures are protected.
  - 3. New light fixtures must duplicate historic fixtures in style and finish.
  - 4. Down lighting in the trees is appropriate.
  - 5. Mercury vapor lights are appropriate.

#### 12.4 Site Elements.

- a. Terraces and plazas.
  - 1. All terraces and plazas are protected.



2. Flagstone must be used for terraces and/or plazas.
  3. Terraces and plazas may not be covered with paint or carpet. A clear sealant is acceptable.
  4. Expansion of terraces and plazas or construction of seating walls must be done in matching flagstone and must match in color, texture, module size, pattern and mortar color.
  5. Drainage grates and systems in the terrace and plaza areas must be maintained to ensure they can handle the drainage as originally designed.
- b. New driveways, parking areas, sidewalks, steps, and walkways must be constructed of brick, brush finish concrete, stone, or other appropriate material. Artificial grass, artificially-colored concrete, asphalt, exposed aggregate, and outdoor carpet are not permitted.
- c. The fountain at Colorado and Zang (the pineapple fountain):
1. The fountain is protected.
  2. It is encouraged that the original color of the fountain be restored.
  3. It is encouraged that the fence around the fountain be removed.
  4. The fountain may be filled-in so that the water depth is no more than one foot.
- d. Existing site features including stone bridges, plaza areas and walls are protected.
- e. Park furniture, including park benches, water fountains, tables, and seating walls must be cast iron, cast stone, flagstone, metal (for support only, not as the primary material) or wood, or a combination of these materials.
- f. Decorative elements:
1. Modern sculpture is inappropriate except for temporary (less than 6 months) art exhibits.

2. Permanent sculpture, decorative fountains or garden features must be appropriate and constructed of flagstone, stone, metal, cast stone or a combination of these materials.
- g. Fences:
1. Fences are not permitted in the open areas.
  2. Guard rails may be constructed where needed for safety.
  3. Fences and guard rails must be constructed of stone, brick, cast stone, decorative metal, a combination of these materials, or other appropriate materials. Chain link is not permitted, except that vinyl coated chain link or vinyl coated mesh fences are permitted at the tennis/basketball courts, playground areas and baseball fields.
- h. Retaining walls and drainage flues:
1. Retaining walls along drainage flues are protected as long as the drainage flue exists.
  2. Any new retaining walls must be flagstone or scored concrete. Railroad ties are not appropriate.
  3. It is encouraged that the chain link fence along the drainage flue at Fifth Street and Blaylock be replaced with a catwalk grill installed flush with the wall.
  4. It is encouraged that the chain link fence at the drainage flue on Crawford Street be replaced with a terraced ground edge to the water and a fence or guard rail.
  5. The headwalls of the drainage pipes must be of stone to match the existing retaining walls.
  6. The drainage flues may be covered if done in such a way as to reflect the current topography of the park and be compatible with landscape in adjacent areas.
- i. The concrete bridge at the Crawford Street drainage flue may be veneered with flagstone.
- j. The base in the play area near the intersection of Crawford and Zang may be sand or other appropriate materials.

## 12.5 Contributing Structures.

- a. The stone picnic shelter, the brick restroom building and the stone pergola structures are contributing structures.
- b. Facades on contributing structures.
  1. All facades on contributing structures are protected.
  2. Reconstruction, renovation, repair or maintenance of protected facades must be appropriate and must employ materials similar to the historic materials in texture, color, pattern, grain, and module size.
  3. Historic solid-to-void ratios of protected facades must be maintained.
  4. Brick or stone added to protected facades must match in color, texture, module size, bond pattern, and mortar color.
  5. Brick, stone, cast stone and concrete elements on protected facades may not be painted, except that portions of the structure that had been painted prior to the effective date of this ordinance may remain painted.
- c. Pergolas may not be enclosed.
- d. Finish materials and detailing of contributing structures.
  1. Historic columns, detailing, railings, and trim on contributing structures are protected.
  2. Pergola floors must be flagstone. Flagstone pergola floors may not be covered with carpet or paint. A clear sealant is acceptable on pergola floors.
  3. Flagstone and brick siding, all trim, and detailing must be restored wherever practical.
  4. All exposed wood must be painted, stained, or otherwise preserved.
  5. Historic materials must be repaired if possible; they may be replaced only when necessary.

6. Paint must be removed in accordance with the Department of Interior Standards prior to refinishing.
7. Aluminum siding, stucco, and vinyl cladding are not permitted.
- e. Historic color must be maintained wherever practical. Color schemes for non-masonry elements should conform to any available documentation as to historic color.
- f. Any new mechanical equipment must be erected behind existing structures, and must be screened in an appropriate manner.
- g. Exposing and restoring historic finish materials is recommended.
- h. Cleaning of the exterior of a structure must be in accordance with Department of Interior Standards. Sandblasting and other mechanical abrasive cleaning processes are not permitted.
- i. Historic openings, doors and windows must remain intact except when replacement is necessary due to damage or deterioration.
- j. Decorative ironwork and burglar bars are not permitted over doors or openings on protected structures. Interior mounted burglar bars are permitted if appropriate.
- k. Roofs:
  1. The historic slope, massing, configuration, and materials of the roof must be preserved and maintained.
  2. The following roofing materials are allowed: clay tiles and terra-cotta tiles on the restroom building; composition shingles, slate tiles, and wood shingles on the pergolas and picnic shelter. Built-up, metal, single-ply membrane, synthetic wood shingle, and synthetic clay tile roofs are not permitted.
  3. Historic eaves and roof trim must be retained, and should be repaired with material matching in size, finish, module and color.
- l. Mechanical equipment, skylights, and solar panels may not be placed on the roofs.

**12.6 New construction and additions.**

- a. Stand-alone new construction is permitted in Zone A. The floor area of new construction in Zone A must not exceed 1,000 square feet. (See Exhibit F)
- b. Portable restrooms are allowed in Zone A, but must be appropriately screened.
- c. Stand-alone new construction in Zone B is limited to three new structures. The floor area of new construction in Zone B must not exceed 400 square feet per structure.
- d. The floor area of stand-alone new construction in Zone C may not exceed 25,000 square feet. Related paved parking areas are allowed near to these structures.
- e. The color, details, form, materials, fenestration, massing, roof form, shape, and solids-to-voids ratios and general appearance of new construction must be appropriate and must be compatible with the contributing structures.
- f. The height of stand-alone new construction may not exceed 36 feet.
- g. Aluminum siding, stucco, and vinyl cladding are not permitted.
- h. Vertical additions to contributing structures are not permitted.
- i. Horizontal additions to contributing structures are not permitted.

**12.7 Special features**

- a. The following elements are considered special features and are protected:
  1. stone picnic buildings
  2. stone pergolas
  3. stone terrace and plaza areas
  4. fountains
  5. stone benches, walls, tables and bridges
  6. light fixtures
  7. historic topography
  8. historic vegetation
  9. lake.

973677

23328

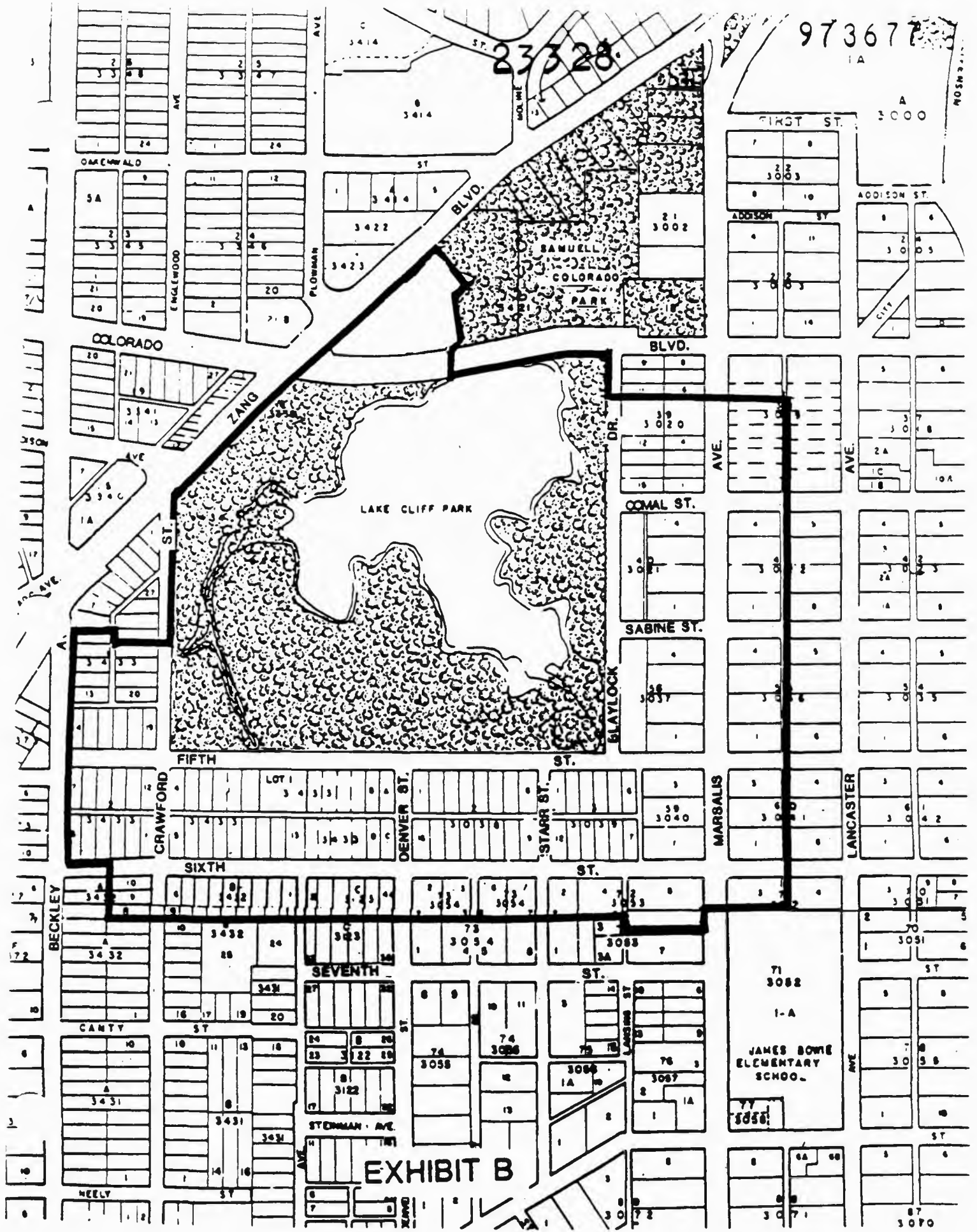
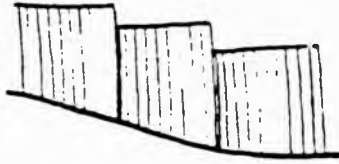
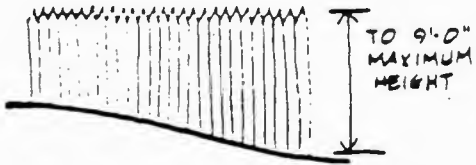


EXHIBIT B

23328

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Horizontal

Parallel to Grade

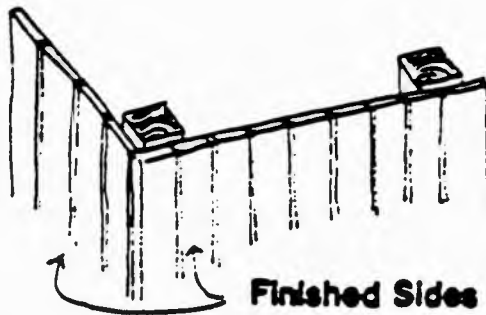
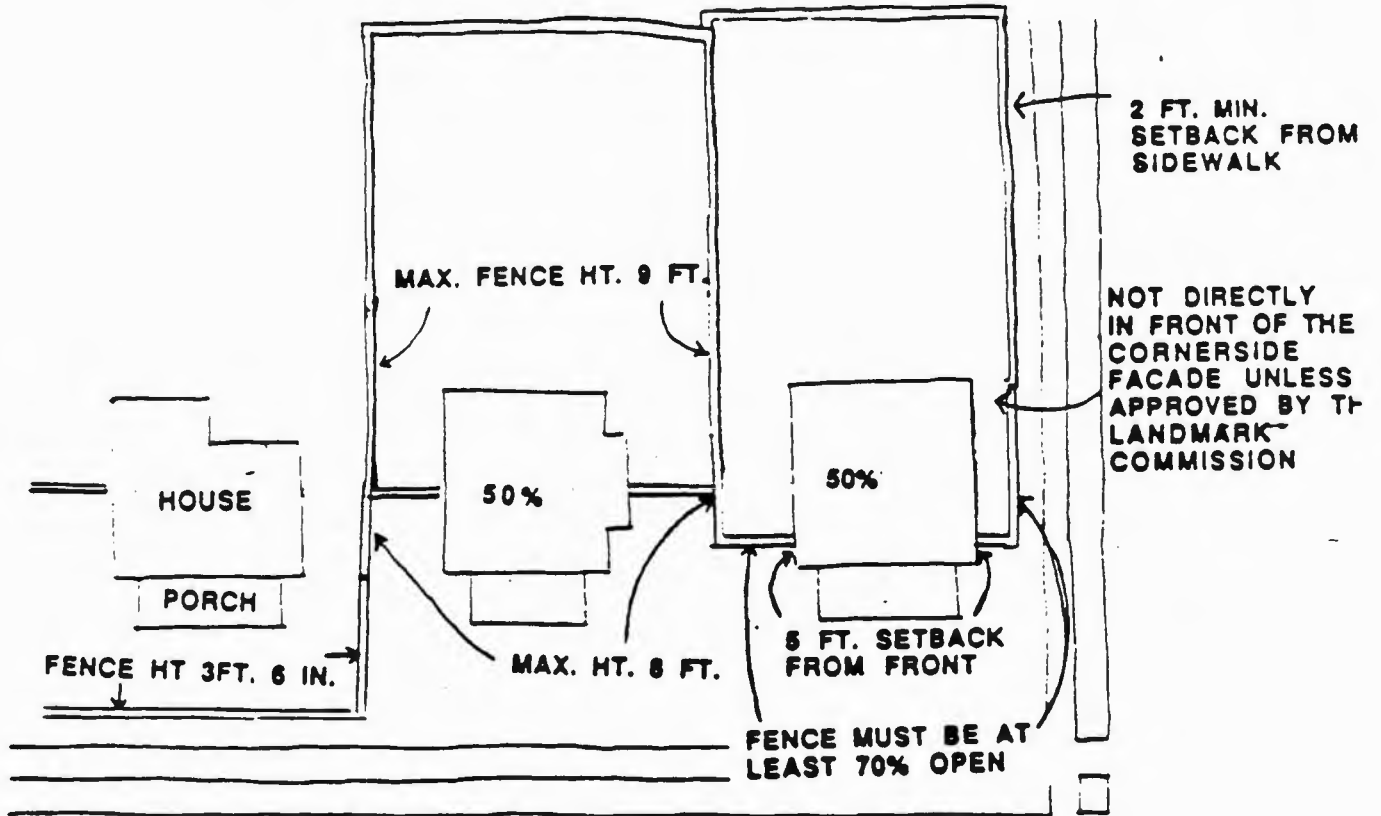


EXHIBIT C  
**FENCES**

23328

973677

**COLOR PLACEMENT**

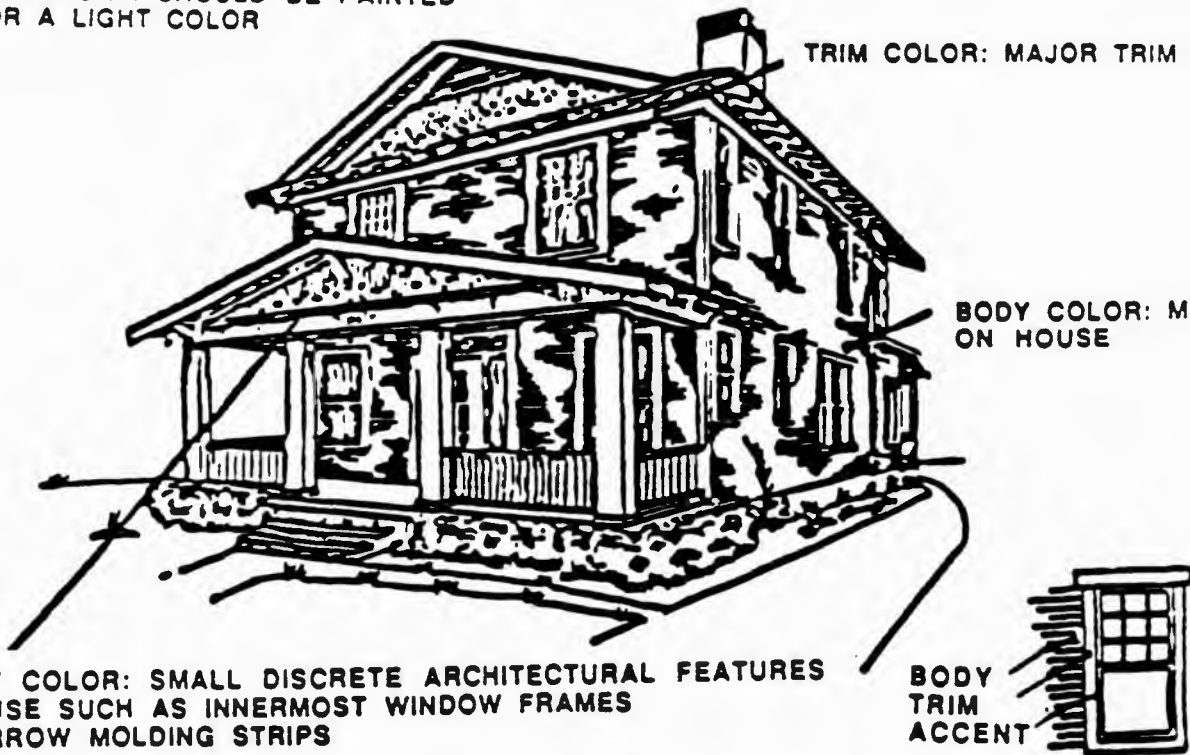
**COLUMN COLOR : SHOULD BE PAINTED  
WHITE OR A LIGHT COLOR**

**TRIM COLOR: MAJOR TRIM ON HOUSE**

**BODY COLOR: MAIN SIDING  
ON HOUSE**

**ACCENT COLOR: SMALL DISCRETE ARCHITECTURAL FEATURES  
ON HOUSE SUCH AS INNERMOST WINDOW FRAMES  
OR NARROW MOLDING STRIPS**

**BODY  
TRIM  
ACCENT**



**EXHIBIT D**



23328

973677

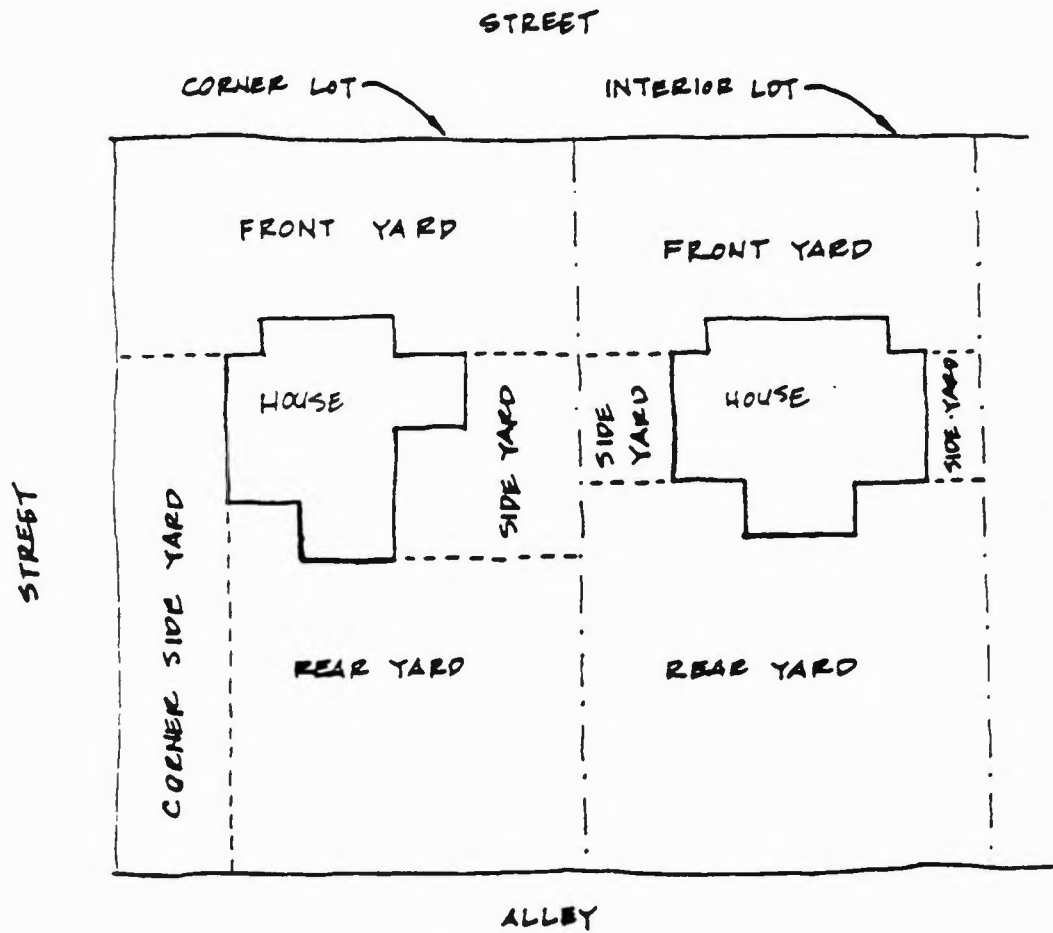
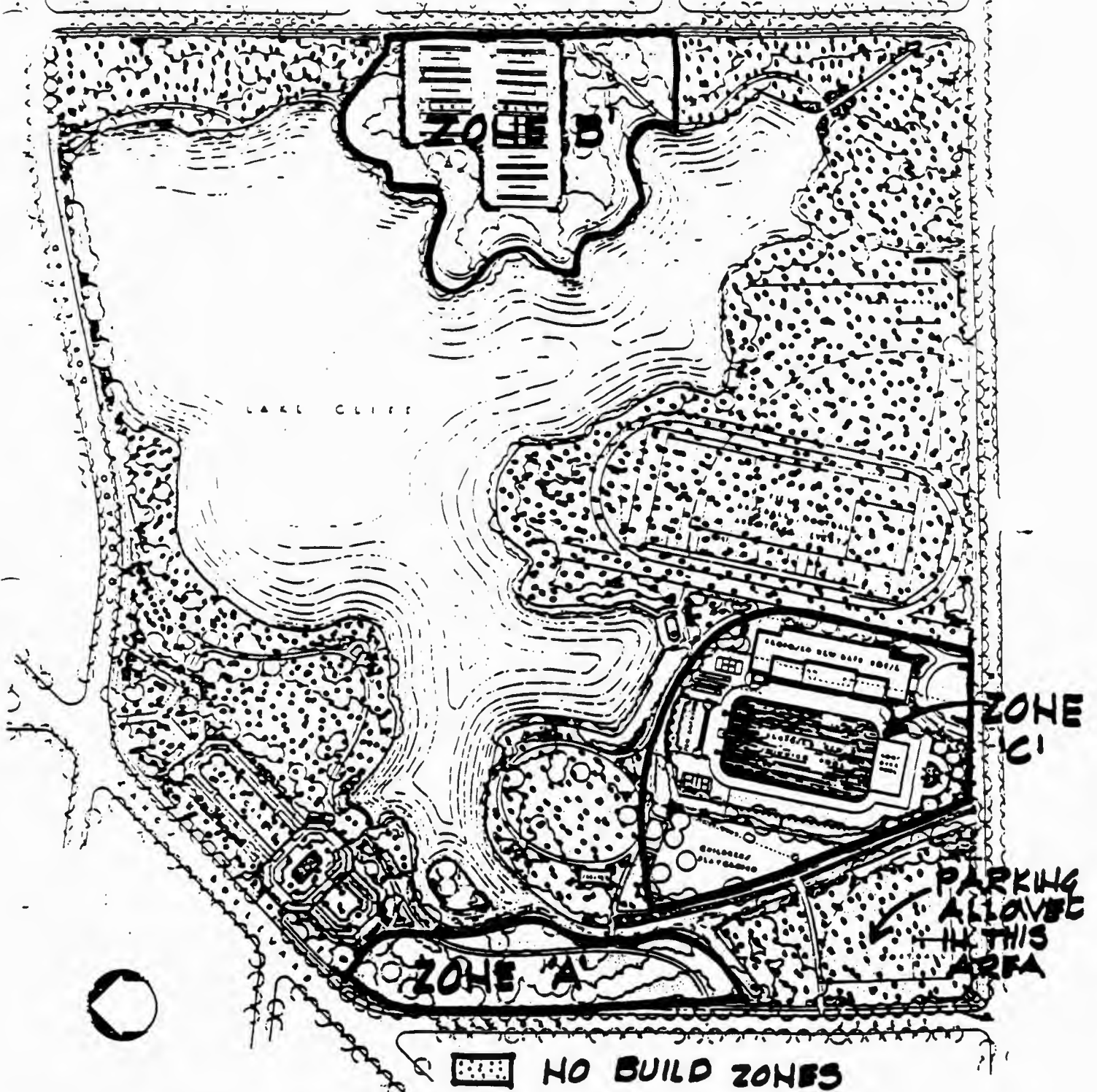


EXHIBIT E



GENERAL PLAN FOR DEVELOPMENT OF  
 LAKE CLIFF PARK  
 DALLAS TEXAS  
 PREPARED FOR  
 THE DALLAS PARK BOARD

EXHIBIT F  
 HARE & HARE  
 LANDSCAPE ARCHITECTS & CITY PLANNERS  
 1007 W. 12TH ST. DALLAS, TEXAS  
 SCALE: 1" = 30'  
 APRIL 10, 1944

16 OCTOBER 1996  
LAKE CLIFF PARK  
PLANT LIST

---

The following list is an approved list of plant materials based on materials appropriate to the period of the original park design.

**TREES**

Quercus virginiana	Live Oak
Quercus shumardi	Shumard (Red) Oak
Ulmus crassifolia	Cedar Elm
Ulmus americana (improved varieties)	American Elm
Magnolia grandiflora (and improved varieties)	Southern Magnolia
Juniperus virginiana	Eastern Red Cedar
Catalpa bignonioides	Catalpa
Diospyros virginiana	Common Persimmon
Carya illinoensis	Pecan
Sapindus drummondii	Western Soapberry
Platanus occidentalis	Sycamore
Juglans nigra	Walnut

**Ornamental Trees**

Malus spp. (improved varieties)	Crabapple
Lagerstroemia indica (watermelon red)	Crape Myrtle
Cornus florida	Flowering Dogwood
(SE Oklahoma sources only)	
Cornus drummondii	Roughleaf Dogwood
Ilex decidua	Deciduous Holly
Ilex vomitoria	Yaupon Holly
Prunus mexicana	Mexican Plum

**Shrubs**

Cercis canadensis 'Oklahoma'	Oklahoma Red Bud
Abelia grandiflora	Abelia
Hibiscus syriacus	Althea
Callicarpa americana	American Beauty Berry
Thuja occidentalis	Arborvitae
Rhododendron spp.	Azalea
(pre-1950's varieties of Kurume and And Indica varieties)	
Aspidistra ellator	Cast Iron Plant (Aspidistra)
Buxus microphylla 'Winter Gem'	Winter Gem Boxwood
Elaeagnus macrophylla	Elaeagnus
Dryopteris normalis	Wood Fern

Shrubs (cont'd)

Forsythia x intermedia	Forsythia
Ilex comuta 'burfordi'	Burford Holly
Ilex comuta	Chinese Holly
Ilex vomitoria	Yaupon Holly
Lonicera albiflora	White Honeysuckle
Juniperus chinensis 'Pfitzerana'	Pfitzer Juniper
Juniperus chinensis 'Torulosa'	Torulosa Juniper
Juniperus horizontalis 'Bar Harbor'	Bar Harbor Juniper
Juniperus sobina 'Tamaniscifolia'	Tam Juniper
Prunus caroliniana	Cherry Laurel
Ligustrum japonicum	Wax Ligustrum
Nandina domestica	Nandina
Photinia semulata	Chinese Photinia
Punica granatum	Pomegranate
Chaenomeles japonica	Flowering Quince
Spiraea spp.	Spiraea
Rhus copallina	Flameleaf Sumac

Ground Cover

Hedera helix	English Ivy
Liriope spicata	Creeping Liriope
Vinca major	Bigleaf Periwinkle
Vinca minor	Common Periwinkle

Vines

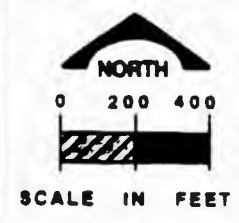
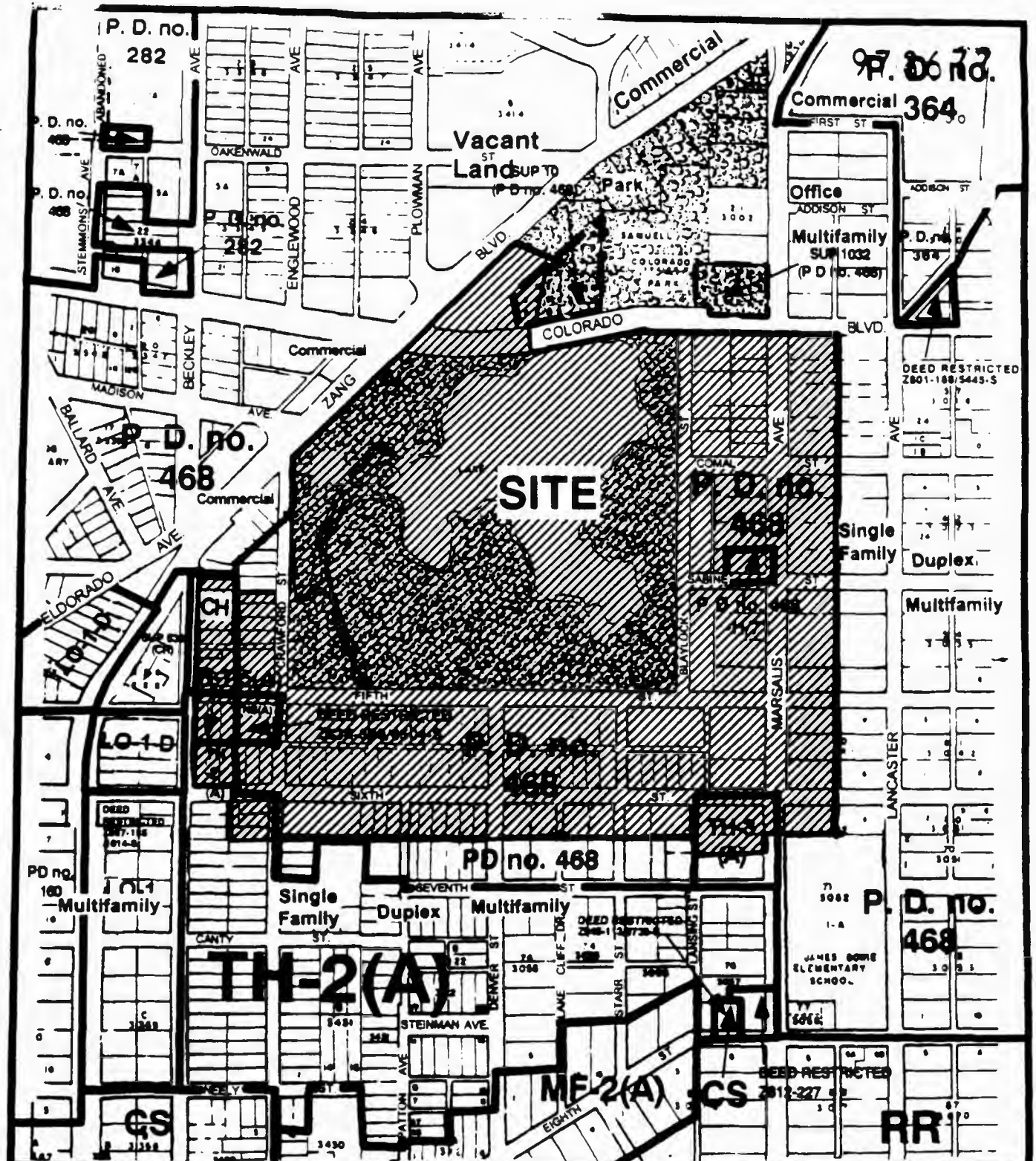
Lonicera japonica	Honeysuckle
Parthenocissus quinquefolia	Virginia Creeper
Rosa banksia	Lady Bank's Rose
Campsis radicans	Trumpet Vine

Lawn Turf

Cynodon dactylon	Common Bermuda Grass
------------------	----------------------

Special Plantings

Rosa spp. (pre-1950's varieties)	Species Roses
	Hybrid Tea Roses
	Grandifloras Roses
	Climber Roses
	Floribunda Roses
	Shrub Roses



# ZONING AND LAND USE

MAP NO. K-7 & L-7

CASE NO. Z967-148/1027-SW(JA)

# SECTION 7

## Correspondence

- Notice of April 1, 2024, Landmark Hearing
- Notice of application denied without prejudice
- Request to Appeal from applicant
- March 4, 2024 Docket Material CA234-190(MW)
- Appeal Procedures

## Landmark Commission Meeting

Watson, Marcus <marcus.watson@dallas.gov>

Tue 3/26/2024 1:48 PM

Bcc:Matt Abendschein <mabendschein@gmail.com>;Barrett Linburg <barrett@savoyequity.com>;Jennifer Dent <jennifer.Dent@cardiffgrp.com>;Jennifer & Rick Smith <jenandricksmith@gmail.com>;Steven Deering <sdeering00@me.com>;nadia noori <nadianoori03@yahoo.com>;Victor Ramirez <V.Ramirez@buildingplansandpermits.com>

This email provides details about the upcoming Landmark Commission (LMC) meeting.

### **MONDAY, APRIL 1, 2024**

**9:00 AM – Briefing (Staff Presentations to the Landmark Commission only.)**

**1:00 PM – Public Hearing (Your opportunity to speak. Three minute limit!)**

The meeting will be held both physically at City Hall, 1500 Marilla St., Room 6ESouth, and virtually by videoconference (information below). Those attending in person will be required to follow all current pandemic-related public health protocols.

The meeting agenda will be posted by 5:00pm, Friday, March 29, 2024. You may access the agenda once it is posted on the City Secretary's Office website here:

<https://dallascityhall.com/government/citysecretary/Pages/Public-Meetings.aspx>

The 10:00 AM Briefing meeting is optional for you to attend. Be aware that the public can listen in but may not participate in the Briefing discussion. The public hearing at 1:00 PM, which you should plan to attend, is where the Commission will make their decision on your application. *Discussion with applicants is reserved for the 1:00 PM public hearing.*

If you wish to speak on any item whether in person or online, including your own, you must sign up by **Monday, April 1 at 8:00am**, using the instructions provided below. Be sure that anyone speaking on your behalf, including architects, contractors, etc. also sign up in advance. **There is not a way to sign up to speak after this deadline closes. Also be aware that speakers who attend the meeting virtually will be required to use video during the meeting discussion. Per state law, you may not participate using audio only.**

*Please note: If you performed unauthorized work prior to a Landmark Commission review, if you are responding to a prior Landmark Commission review, or if you are proposing new construction or demolition, you are particularly and strongly encouraged to attend. **This is your opportunity to speak and to share your design decisions with the Landmark Commission.***

### **Videoconference**

Webinar topic:

April Landmark Commission Meeting

Date and time:

Monday, April 1, 2024 10:00 AM | (UTC-05:00) Central Time (US & Canada)

Join link:

<https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m0459052afbfc92364bfb76f0629d7598>

Webinar number:

2485 332 1376

Webinar password:

April24LMC (27745245 from phones and video systems)

Join by phone

+1-469-210-7159 United States Toll (Dallas)

+1-408-418-9388 United States Toll

Access code: 248 533 21376

*Per state law, you may not speak before the Landmark Commission using audio only!*

## **Speaker Sign-Up:**

Email: Elaine Hill at [phyllis.hill@dallas.gov](mailto:phyllis.hill@dallas.gov)

Deadline: **Monday, April 1 at 8:00 AM**

**You must sign up by email by the above deadline to speak at the Landmark Commission hearing. Be sure your email to Elaine includes the full name of the speaker, as well as the address for the case you wish to speak on.**

**PLEASE NOTE: YOU MUST SIGN UP TO SPEAK EVEN IF YOU ARE THE APPLICANT OR THE APPLICANT'S REPRESENTATIVE!**

To request an interpreter, please email [marcus.watson@dallas.gov](mailto:marcus.watson@dallas.gov) at least 72 hours (3 days) in advance of a meeting. Late requests will be honored, if possible.

Para solicitar un intérprete, mande un correo electrónico a [pud@dallas.gov](mailto:pud@dallas.gov) al menos 72 hora (3 días) antes de una reunión. Solicitudes con retraso serán respetadas, si es posible.

Please let me know if you have any questions.

Thank you and have a wonderful day.





**Marcus W. Watson**  
*Senior Planner*  
*Office of Historic Preservation*

City of Dallas | [DallasCityNews.net](http://DallasCityNews.net)  
1500 Marilla St., 5CN  
Dallas, TX 75201  
(214) 670-5825  
[marcus.watson@dallas.gov](mailto:marcus.watson@dallas.gov)



How am I doing? Please contact my supervisor, Kate Singleton, at [katherine.singleton@dallas.gov](mailto:katherine.singleton@dallas.gov).

**\*\*OPEN RECORDS NOTICE: This email and responses may be subject to the Texas Open Records Act and may be disclosed to the public upon request. Please respond accordingly.\*\***




## 1001 N Crawford

Watson, Marcus <marcus.watson@dallas.gov>

Mon 4/8/2024 10:52 AM

To: Barrett Linburg <barrett@savoyequity.com>

Cc: Singleton, Katherine <katherine.singleton@dallas.gov>

 5 attachments (543 KB)

CA234-246(MW) applicaton for appeal.doc; CA234-246(MW) Stamped CA\_1001 N Crawford\_040124 (vinyl windows).pdf; CertificateOfAppropriateness.pdf; CPC Appeal Fee Schedule - Dallas City Code - All other uses.pdf; DenialLetter.pdf;

Your final CA from the **April 1, 2024** Landmark Commission meeting is attached.

If you have received a denial for any of your items, information on the appeals process is attached. Please keep in mind that you have already been approved for wood windows and may proceed in that manner and that this denial "without prejudice" DOES NOT mean a flat, final denial. It simply means that you need to work with me to make some changes or provide additional materials to resubmit to the commission. Appealing a denial "without prejudice" is NOT required to move forward.

Let me know if you have any questions.

Thank you and have a wonderful day.



**Marcus W. Watson**  
*Senior Planner*  
*Office of Historic Preservation*

City of Dallas | [DallasCityNews.net](http://DallasCityNews.net)  
1500 Marilla St., 5CN  
Dallas, TX 75201  
(214) 670-5825  
[marcus.watson@dallas.gov](mailto:marcus.watson@dallas.gov)



How am I doing? Please contact my supervisor, Kate Singleton, at [katherine.singleton@dallas.gov](mailto:katherine.singleton@dallas.gov).

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April 5, 2024

Barrett Linburg  
6060 N. Central Exwy., Ste. 770,  
Dallas, TX 75206

**RE: CA234-246(MW)  
REVIEW OF YOUR CERTIFICATE OF APPROPRIATENESS APPLICATION  
1001 N CRAWFORD ST**

Dear Barrett Linburg:

Enclosed is a copy of the Certificate of Appropriateness (CA) application that you submitted for review by the Landmark Commission on April 1, 2024

Please see the enclosed Certificate of Appropriateness for Details.

PLEASE NOTE: You have the right to appeal this decision within 30 days from the Landmark Commission review date. The enclosed ordinance lists the fee schedule for appeals. Also enclosed is an application for appeal which is due in our office by 5:00 P.M on May 1, 2024. For information regarding the appeals process, please email Elaine Hill at [Phyllis.hill@dallas.gov](mailto:Phyllis.hill@dallas.gov)

Please make checks payable to the City of Dallas.

Encl. Application for Appeal  
Ordinance No. 19455

If you have any questions, please contact me by email at [marcus.watson@dallas.gov](mailto:marcus.watson@dallas.gov).



Marcus Watson  
Senior Planner

**Certificate of Appropriateness**

April 1, 2024

---

Standard	April 1, 2024	<b>PLANNER:</b>	Marcus Watson
<b>FILE NUMBER:</b>	CA234-246(MW)	<b>DATE FILED:</b>	March 14, 2024
<b>LOCATION:</b>	1001 N CRAWFORD ST	<b>DISTRICT:</b>	Lake Cliff Historic District
<b>COUNCIL DISTRICT:</b>	1	<b>MAPSCO:</b>	44-Z, 54-D
<b>ZONING:</b>	PD-468	<b>CENSUS TRACT:</b>	0020.00

---

**APPLICANT:** Barrett Linburg  
**REPRESENTATIVE:**  
**OWNER:** 1001 CRAWFORD LLC

The Landmark Commission decision is: Denied without Prejudice

Information regarding requests:

1) A Certificate of Appropriateness to replace all existing windows (non-historic) with Alside 1700-Series vinyl windows in "beige" color.

Deny without Prejudice

Conditions: That the request for a Certificate of Appropriateness to replace all existing windows (non-historic) with Alside 1700-Series vinyl windows in "beige" color be denied without prejudice. The proposed work is not compatible with the historic overlay district.



Landmark Commission Chair

April 1, 2024

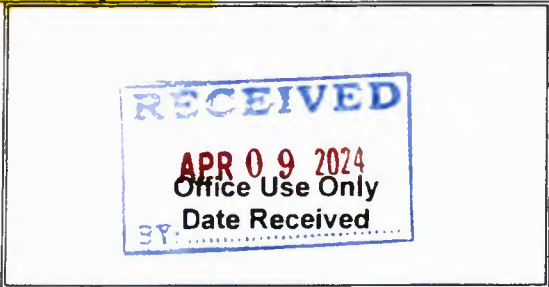
Date

Please take any signed drawings to Building Inspection for permits.

# APPLICATION FOR APPEAL OF LANDMARK COMMISSION DECISION

The Deadline to Appeal this application is May 1, 2024

Director, Planning and Urban Design  
Dallas City Hall  
1500 Marilla St., RM 5/B/N  
Dallas Texas 75201  
Telephone 214-670-4209



Landmark Case/File No.: CA234-246(MW)

Property Address: 1001 N CRAWFORD ST

Date of Landmark Commission Action: April 1, 2024

Applicant's Name: Barrett Linburg – 1001 N Crawford, LLC

Applicant's Mailing Address: 6060 N Central Expressway, Suite 770

City: Dallas State: Texas Zip: 75206

Applicant's Phone Number: 214-789-6624 Fax: \_\_\_\_\_

Applicant's Email: Barrett@SavoyEquity.com

IF DIFFERENT FROM ABOVE, PROVIDE PROPERTY OWNER'S INFORMATION.

Owner's Name: \_\_\_\_\_

Owner's Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Owner's Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

Owner's Email: \_\_\_\_\_

BN \_\_\_\_\_  
Applicant's Signature Date

BN \_\_\_\_\_  
Owner's Signature (if individual) Date  
or Letter of Authorization (from corporation/partnership)

Fee for Single Family use/structure: **\$300.00**  
Fee for any other use/structure: **\$700.00**

receipt NO 11305

## March 4 Landmark Commission Meeting

Watson, Marcus <marcus.watson@dallas.gov>

Wed 2/28/2024 5:00 PM

Bcc:enriqueji@gmail.com <enriqueji@gmail.com>;Robert Meckfessel <rmeckfessel@dsgn.com>;Chris Chiles <chiles.chris@gmail.com>;Andrew Meckfessel <ameckfessel@dsgn.com>;Konata Childs <konata@sbcglobal.net>;Jennifer Dent <jennifer.Dent@cardiffgrp.com>;Anthony Carden <anthony@acarrdendesign.com>

This email provides details about the upcoming Landmark Commission (LMC) meeting.

### **MONDAY, MARCH 4, 2024**

**9:00 AM – Briefing (Staff Presentations to the Landmark Commission only.)**

**1:00 PM – Public Hearing (Your opportunity to speak. Three minute limit!)**

The meeting will be held both physically at City Hall, 1500 Marilla St., Room 6ESouth, and virtually by videoconference (information below). Those attending in person will be required to follow all current pandemic-related public health protocols.

The meeting agenda will be posted by 5:00pm, Friday, March 1, 2024. You may access the agenda once it is posted on the City Secretary's Office website here:

<https://dallascityhall.com/government/citysecretary/Pages/Public-Meetings.aspx>

The 10:00 AM Briefing meeting is optional for you to attend. Be aware that the public can listen in but may not participate in the Briefing discussion. The public hearing at 1:00 PM, which you should plan to attend, is where the Commission will make their decision on your application. *Discussion with applicants is reserved for the 1:00 PM public hearing.*

If you wish to speak on any item whether in person or online, including your own, you must sign up by **Monday, March 4 at 8:00am**, using the instructions provided below. Be sure that anyone speaking on your behalf, including architects, contractors, etc. also sign up in advance. **There is not a way to sign up to speak after this deadline closes. Also be aware that speakers who attend the meeting virtually will be required to use video during the meeting discussion. Per state law, you may not participate using audio only.**

*Please note: If you performed unauthorized work prior to a Landmark Commission review, if you are responding to a prior Landmark Commission review, or if you are proposing new construction or demolition, you are particularly and strongly encouraged to attend. **This is your opportunity to speak and to share your design decisions with the Landmark Commission.***

### **Videoconference**

Webinar topic:

March Landmark Commission Meeting

Date and time:

Monday, March 4, 2024 9:00 AM | (UTC-06:00) Central Time (US & Canada)

Join link:

<https://dallascityhall.webex.com/dallascityhall/j.php?MTID=m1858c1bf97461019c99eca1d750659b6>

Webinar number:

2481 072 9854

Webinar password:

March24LMC (62724245 from phones and video systems)

Join by phone

+1-469-210-7159 United States Toll (Dallas)

+1-408-418-9388 United States Toll

Access code: 248 107 29854

Join by phone +1-469-210-7159 United States Toll (Dallas) +1-408-418-9388 United States Toll

Access code: 248 705 41256

*Per state law, you may not speak before the Landmark Commission using audio only!*

## **Speaker Sign-Up:**

Email: Elaine Hill at [phyllis.hill@dallas.gov](mailto:phyllis.hill@dallas.gov)

Deadline: **Monday, March 4 at 8:00 AM**

**You must sign up by email by the above deadline to speak at the Landmark Commission hearing. Be sure your email to Elaine includes the full name of the speaker, as well as the address for the case you wish to speak on.**

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Please let me know if you have any questions.

Thank you and have a wonderful day.



**Marcus W. Watson**  
*Senior Planner*  
*Office of Historic Preservation*

**City of Dallas | DallasCityNews.net**  
1500 Marilla St., 5CN  
Dallas, TX 75201  
(214) 670-5825  
[marcus.watson@dallas.gov](mailto:marcus.watson@dallas.gov)



How am I doing? Please contact my supervisor, Kate Singleton, at [katherine.singleton@dallas.gov](mailto:katherine.singleton@dallas.gov).

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1001 N Crawford

Watson, Marcus <marcus.watson@dallas.gov>

Thu 3/14/2024 12:40 PM

To:Jennifer Dent <jennifer.Dent@cardiffgrp.com>

📎 1 attachments (1 MB)

CA234-190(MW) Final\_1001 N Crawford 030424 (Reno).pdf;

Your final CA from the **March 4, 2024** Landmark Commission meeting is attached. Work on approved items can begin when this CA is posted in a window or location visible from the street, and when any applicable permits have been obtained from Building Inspections. **PLEASE READ ANY CONDITIONS FOR APPROVALS CAREFULLY.**

If you have received a denial for any of your items, information on the appeals process is included. Please keep in mind that a denial “without prejudice” DOES NOT mean a flat, final denial. It simply means that you need to work with me to make some changes or provide additional materials to resubmit to the commission. Appealing a denial “without prejudice” is NOT required to move forward. Please simply get back in touch with me and/or make an appointment for us to consider your options.

Let me know if you have further questions.

Thank you and have a wonderful day.



**Marcus W. Watson**  
*Senior Planner*  
*Office of Historic Preservation*

City of Dallas | [DallasCityNews.net](http://DallasCityNews.net)  
1500 Marilla St., 5CN  
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CITY OF DALLAS

**LANDMARK COMMISSION**

**MARCH 4, 2024**

FILE NUMBER: CA234-190(MW)  
LOCATION: 1001 N. Crawford St.  
STRUCTURE: Noncontributing  
COUNCIL DISTRICT: 1  
ZONING: PD-468

PLANNER: Marcus Watson  
DATE FILED: January 22, 2024  
DISTRICT: Lake Cliff (H-84)  
MAPSCO: 44-Z, 54-D  
CENSUS TRACT: 0020.00

**APPLICANT:** Dent, Jennifer

**REPRESENTATIVE:** N/A

**OWNER:** Devonshire Ventures LLC

**REQUEST(S):**

1. A Certificate of Appropriateness to replace non-historic railings on faux "balconies."
2. A Certificate of Appropriateness to replace all courtyard-facing non-historic doors with fiberglass doors.
3. A Certificate of Appropriateness to replace all windows (non-historic) with 1-over-1 vinyl windows in "beige" color.
4. A Certificate of Appropriateness to remove all shutters.
5. A Certificate of Appropriateness to paint the nonmasonry elements of the building (Balconies, Trim and Doors: SW2829 "Classical White"; Accent: SW7048 "Urbane Bronze").
6. A Certificate of Appropriateness to replace railings at front waterfall steps.
7. A Certificate of Appropriateness to replace light fixtures over courtyard-facing entrances.
8. A Certificate of Appropriateness to replace light fixture to the side of outward-facing kitchen entrances.

**STAFF RECOMMENDATION:**

1. That the request for a Certificate of Appropriateness to replace non-historic railings on faux "balconies" be **approved** in accordance with materials, drawings and specifications dated 2/16/24 **with the condition** that all materials be painted wood. Implementation of this condition would allow the proposed work to be consistent with preservation criteria Sections 4.1(b), 4.4, 7.1, 7.3, and 8.1; the standards in City Code Section 51A-4.501(g)(6)(c)(ii) for noncontributing structures; and the Secretary of the Interior's standards.
2. That the request for a Certificate of Appropriateness to replace all courtyard-facing non-historic doors with fiberglass doors be **approved** in accordance with materials, drawings and specifications dated 2/16/24 **with the condition** that the new doors be all wood inside and out, not fiberglass. Implementation of this condition would allow the proposed work to be consistent with preservation criteria Sections 5.2 and 5.3; the standards in City Code Section

51A-4.501(g)(6)(c)(ii) for noncontributing structures; and the Secretary of the Interior's standards.

3. That the request for a Certificate of Appropriateness to replace all windows (non-historic) with 1-over-1 vinyl windows in "beige" color be **approved** in accordance with materials, drawings and specifications dated 2/16/24 **with the condition** that the new windows be all wood inside and out, no vinyl and no cladding. Implementation of this condition would allow the proposed work to be consistent with the preservation criteria Sections 5.2 and 5.3; the standards in City Code Section 51A-4.501(g)(6)(c)(ii) for noncontributing structures; and the Secretary of the Interior's standards.
4. That the request for a Certificate of Appropriateness to remove all shutters be **approved** in accordance with materials, drawings and specifications dated 2/16/24. The proposed work meets the standards in City Code Section 51A-4.501(g)(6)(c)(ii) for noncontributing structures and the Secretary of the Interior's standards.
5. That the request for a Certificate of Appropriateness to paint the nonmasonry elements of the building (Balconies, Trim and Doors: SW2829 "Classical White"; Accent: SW7048 "Urbane Bronze") be **approved** in accordance with materials, drawings and specifications dated 2/16/24 **with the condition** that no brick or other masonry be painted. Implementation of this condition would allow the proposed work to be consistent with preservation criteria Sections 4.4 and 4.8; the standards in City Code Section 51A-4.501(g)(6)(c)(ii) for noncontributing structures; and the Secretary of the Interior's standards.
6. That the request for a Certificate of Appropriateness to replace railings at front waterfall steps be **approved** in accordance with materials, drawings and specifications dated 2/16/24. The proposed work is consistent with preservation criterion Section 3.7; the standards in City Code Section 51A-4.501(g)(6)(c)(ii) for noncontributing structures; and the Secretary of the Interior's standards.
7. That the request for a Certificate of Appropriateness to replace light fixtures over courtyard-facing entrances be **approved** in accordance with materials, drawings and specifications dated 2/16/24. The proposed work is consistent with preservation criterion Section 3.6; the standards in City Code Section 51A-4.501(g)(6)(c)(ii) for noncontributing structures; and the Secretary of the Interior's standards.
8. That the request for a Certificate of Appropriateness to replace light fixture to the side of outward-facing kitchen entrances be **approved** in accordance with materials, drawings and specifications dated 2/16/24. The proposed work is consistent with preservation criterion Section 3.6; the standards in City Code Section 51A-4.501(g)(6)(c)(ii) for noncontributing structures; and the Secretary of the Interior's standards.

#### **TASK FORCE RECOMMENDATION:**

1. That the request for a Certificate of Appropriateness to replace non-historic railings on faux "balconies" be approved with conditions.
  2. That the request for a Certificate of Appropriateness to replace all courtyard-facing non-historic doors with fiberglass doors be approved with conditions. The doors should not be Craftsman style. Consider flipping courtyard and outer doors (before applicant decided to retain existing outer doors).
-

3. That the request for a Certificate of Appropriateness to replace all windows (non-historic) with 1-over-1 vinyl windows in "beige" color be approved with conditions. Consider aluminum windows instead of vinyl.
  4. That the request for a Certificate of Appropriateness to remove all shutters be approved with conditions. Shutters are not necessary.
  5. That the request for a Certificate of Appropriateness to paint the nonmasonry elements of the building (Balconies, Trim and Doors: SW2829 "Classical White"; Accent: SW7048 "Urbane Bronze") be approved with conditions. Brown or earth tone colors would be better than white.
  6. That the request for a Certificate of Appropriateness to replace railings at front waterfall steps be approved with conditions. Steel tube rails instead of wood.
  7. That the request for a Certificate of Appropriateness to replace light fixtures over courtyard-facing entrances be approved. No comments.
  8. That the request for a Certificate of Appropriateness to replace light fixture to the side of outward-facing kitchen entrances be approved. No comments.
-

## **BACKGROUND / HISTORY:**

1001 N. Crawford is a U-shaped multi-family complex constructed in the late 1940s and is considered noncontributing to the Lake Cliff Historic District. The applicant is proposing to restore the faux entry "balconies", replace the front doors, replace the windows, remove the shutters, paint the trim and doors, replace the front step railings, replace the lights over the front doors, and replace the lights beside the rear doors.

Previous applications for Certificates of Appropriateness (or Demolition) filed for this property that are pertinent to this CA include: N/A

## **RELEVANT PRESERVATION CRITERIA:**

**Lake Cliff Historic District (H-84); Ordinance No. 23328**

### **3. BUILDING SITE AND LANDSCAPING**

- 3.6 Outdoor lighting must be appropriate and enhance the structure.
- 3.7 Landscaping must be appropriate, enhance the structure and surroundings, and not obscure significant views of protected facades.

### **4. FACADES**

- 4.1 Protected facades.
    - b. Reconstruction, renovation, repair or maintenance of protected facades must be appropriate and must employ materials similar to the historic materials in texture, color, pattern, grain, and module size.
  - 4.4 All exposed wood must be painted, stained, or otherwise preserved.
  - 4.8 Historic Colors
    - a. Historic color must be maintained wherever practical.
    - b. Color schemes for non-masonry elements should conform to any available documentation as to historic color.
    - c. All structures must have a dominant color and no more than three trim colors, including any accent colors. Proper location of dominant, trim and accent colors is shown in Exhibit D. The colors of a structure must be complimentary to each other and the overall character of this district. Complimenting color schemes are encouraged through the blockface.
    - d. Wood columns should be painted white or a light color.
-

## 5. FENESTRATION AND OPENINGS

- 5.2 Replacement of doors and windows which have been altered and no longer match the historic appearance is recommended.
- 5.3 Replacement doors and windows must express muntin and mullion size, light configuration, and material to match the historic.

## 7. PORCHES AND BALCONIES

- 7.1 Historic porches and balconies on protected facades are protected.
- 7.2 Historic columns, detailing, railings, and trim on porches and balconies are protected.

## 8. EMBELLISHMENTS AND DETAILING

- 8.1 The following architectural elements are considered important features and are protected: porte cocheres, front porches, historic doors and windows, historic architectural features.

## RELEVANT SECRETARY OF THE INTERIOR'S STANDARDS/GUIDELINES FOR THE TREATMENT OF HISTORIC PROPERTIES (REHABILITATION):

### Guidelines for Setting (District / Neighborhood)

- **Recommended:** Identifying, retaining, and preserving building and landscape features that are important in defining the overall historic character of the setting. Such features can include circulation systems, such as roads and streets; furnishings and fixtures, such as light posts or benches; vegetation, gardens and yards; adjacent open space, such as fields, parks, commons, or woodlands; and important views or visual relationships.
  - **Not Recommended:** Removing or substantially changing those building and landscape features in the setting which are important in defining the historic character so that, as a result, the character is diminished.
  - **Not Recommended:** Introducing a new building or landscape feature that is visually or otherwise incompatible with the setting's historic character (e.g., replacing low metal fencing with a high wood fence).
  - **Not Recommended:** Removing a character-defining feature of the building or landscape from the setting that is unrepairable and not replacing it or replacing it with a new feature the does not match.
-

**RELEVANT DALLAS CITY CODE:**

**Section 51A-4.501. Historic Overlay District**

- (g) Certificate of Appropriateness.
  - (6) Standard certificate of appropriateness review procedure.
  - (C) Standard for approval. The landmark commission must grant the application if it determines that:
    - (i) for contributing structures,
      - (aa) the proposed work is consistent with the regulations contained in this section and the preservation criteria contained in the historic overlay ordinance;
      - (bb) the proposed work will not have an adverse effect on the architectural features of the structure;
      - (cc) the proposed work will not have an adverse effect on the historic overlay district; and
      - (dd) the proposed work will not have an adverse effect on the future preservation, maintenance and use of the structure or the historic overlay district.
-

## PROJECT DESCRIPTION AND ANALYSIS:

9. A Certificate of Appropriateness to replace non-historic railings on faux "balconies."

The proposed railings are typical of the period and district as long as they are all painted wood, as conditioned in the staff recommendation.

10. A Certificate of Appropriateness to replace all courtyard-facing non-historic doors with fiberglass doors.

The existing doors are mid-century modern, but the building is late 1940s, so the existing doors are likely not original. The task force did not like the use of Craftsman style doors. However, staff points out that the building is technically noncontributing and that the proposed doors are fairly innocuous. Staff does, however, recommend a condition that the doors be wood, not fiberglass under the following Criteria:

4.1(b) Reconstruction, renovation, repair or maintenance of protected facades must be appropriate and must employ materials similar to the historic materials in texture, color, pattern, grain, and module size.

5.3 Replacement doors and windows must express muntin and mullion size, light configuration, and material to match the historic.

11. A Certificate of Appropriateness to replace all windows (non-historic) with 1-over-1 vinyl windows in "beige" color.

The existing windows are likely not original. The building is late 1940s while the windows are circa 1960s. The 1-over-1 configuration is acceptable, but again staff recommends wood instead of vinyl. While the building may be noncontributing, a general rule of thumb traditionally used is to not make a noncontributing structure *more* noncontributing. Therefore, the appropriate window for a 1940s building would be wood. Staff recommends wood under the same criteria as above in Item #2.

12. A Certificate of Appropriateness to remove all shutters.

There is no evidence that this building originally had shutters. In fact, it is unlikely, and therefore, they are not character-defining features. Task force agreed.

13. A Certificate of Appropriateness to paint the nonmasonry elements of the building (Balconies, Trim and Doors: SW2829 "Classical White"; Accent: SW7048 "Urbane Bronze").

While the task force felt that white was not the most appropriate color and that an earthtone similar to the existing would be more appropriate, staff believes it is not inappropriate.

14. A Certificate of Appropriateness to replace railings at front waterfall steps.

Lake Cliff criteria provide little guidance for landscapes outside of the park itself, and therefore, these handrails are acceptable.

15. A Certificate of Appropriateness to replace light fixtures over courtyard-facing entrances.

Staff believes the proposed fixture satisfy criterion 3.6.



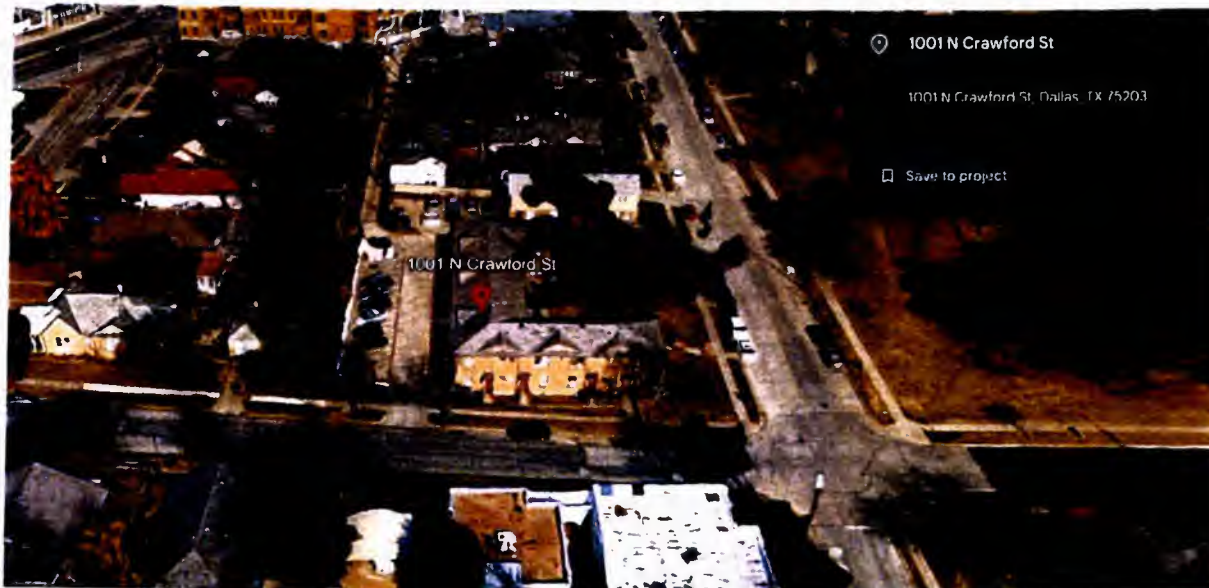
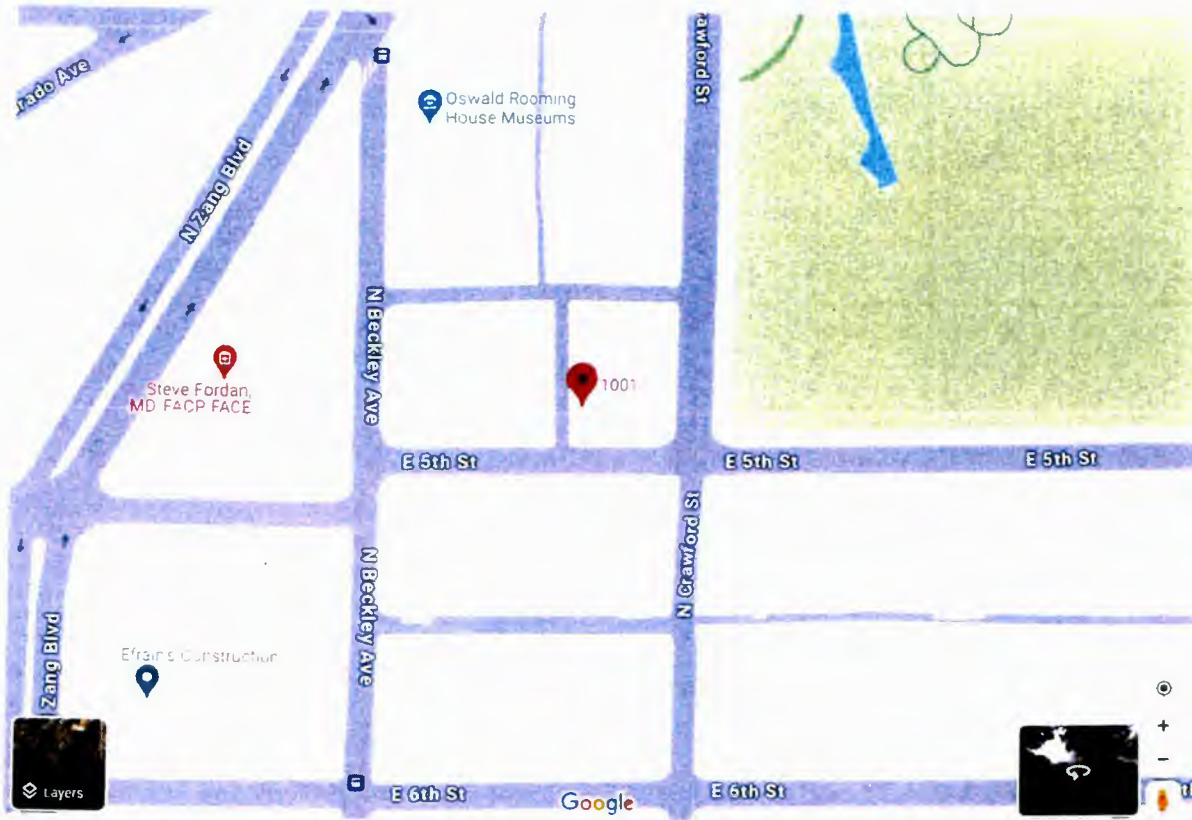
16. A Certificate of Appropriateness to replace light fixture to the side of outward-facing kitchen entrances.

Staff believes the proposed fixture satisfy criterion 3.6.

**LOCATION MAPS**

1001 N. Crawford St.

Source: Google Earth



**CURRENT PHOTOS**  
1001 N. Crawford St.



**ATTACHMENTS:**

- **Task Force Recommendation Form**
  - **Certificate of Appropriateness Application**
-

**TASK FORCE RECOMMENDATION REPORT**  
Winnetka Heights and Lake Cliff Historic Districts

DATE: 2/7/2024  
TIME: 4:00 p.m.  
LOCATION: Hybrid Virtual/2922 Swiss Ave

---

Applicant Name: Jennifer Dent  
Address: 1001 N. Crawford St.  
Request Type: CA

Request: a Replace all doors and windows  
b Update details (shutters and balconies)  
c Paint colors for trim  
d Exterior lighting

Recommendation:

Approve       Approve with conditions       Deny w/o prejudice       Deny  
(Shutters & Lights)

Comments:

Not Craftsman door. Consider flipping proposed front and back doors. Consider aluminum, not vinyl windows. Brown or earthtone paint colors would be better than white. Steel tube sidewalk railings would be better than wood.

---

Task force members present:

Christine Escobedo       Alfred Pena (Vice-chair)  
 Mia Ovcina       Troy Sims  
 Caitlin Parish       Michelle Walker (Chair)

Ex Officio staff members present:       Marcus Watson

Quorum:       Yes       No      (four makes a quorum)

Maker: Pena      2<sup>nd</sup>: Escobedo  
FOR: 4      AGAINST: 0  
Basis for opposition:

# Certificate of Appropriateness (CA)

## City of Dallas Landmark Commission

CA _____ - _____ [ ]
Office Use Only

Name of Applicant: Jennifer Dent  
**Mailing Address** : 6060 N. Central Expressway Suite 770  
 City, State and Zip Code: Dallas, TX 75206  
 Daytime Phone: 954-873-0413 Alternate Phone: 214-865-6220  
 Relationship of Applicant to Owner : Employee

**PROPERTY ADDRESS:** 1001 N. Crawford Street  
**Historic District:** Lake Cliff Historic District

<b>OFFICE USE ONLY</b>
Main Structure:
<input type="checkbox"/> Contributing
<input checked="" type="checkbox"/> Non-contributing

### PROPOSED WORK:

List all proposed work simply and accurately, use extra sheet if needed. Attach all documentation specified in the submittal criteria checklist for type of work proposed. **DO NOT write "see attached."**

Existing doors and window replacement at all exterior. Updates to exterior trim details (shutters and balconies)

Exterior paint colors for Trim.

Exterior lighting updates.

Signature of Applicant: Jennifer M Dent Date: January 22th 2024

Signature of Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
 (IF NOT APPLICANT)

### APPLICATION DEADLINE:

Application material must be **completed and submitted by the FIRST THURSDAY OF EACH MONTH, 12:00 NOON**, (see official calendar for exceptions), before the Dallas Landmark Commission can consider the approval of any change affecting the exterior of any building. This form along with any supporting documentation must be filed with a Preservation Planner at City Hall, 1500 Marilla 5BN, Dallas, Texas, 75201.

Please use the enclosed criteria checklist as a guide to completing the application. Incomplete applications cannot be reviewed and will be returned to you for more information. You are encouraged to contact a Preservation Planner at 214/670-4209 to make sure your application is complete.

### OTHER:

In the event of a denial, you have the right to an appeal within 30 days after the Landmark Commission's decision. You are encouraged to attend the Landmark Commission hearing the first Monday of each month at 1:00 pm in Council Chambers of City Hall (see exceptions). Information regarding the history of past certificates of appropriateness for individual addresses is available for review in 5BN of City Hall.

Please review the enclosed Review and Action Form

Memorandum to the Building Official, a Certificate of Appropriateness has been:

- APPROVED.** Please release the building permit.
- APPROVED WITH CONDITIONS.** Please release the building permit in accordance with any conditions.
- DENIED.** Please **do not** release the building permit or allow work.
- DENIED WITHOUT PREJUDICE.** Please **do not** release the building permit or allow work.

Signed drawings and/or specifications are enclosed \_\_\_ Yes \_\_\_ No

Office of Historic Preservation

Date

# 1001 Crawford St

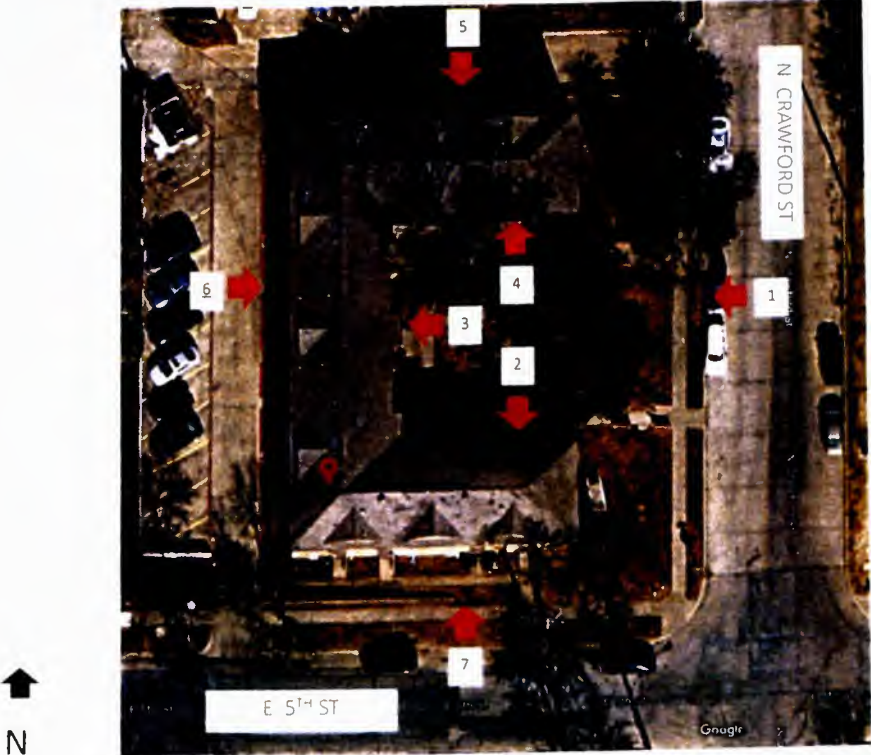
EXTERIOR APPLICATION

Built 1947

NON-CONTRIBUTING STRUCTURE

Section 51A-4.501(g)(6)(C)(ii): "Standard for approval. The landmark commission must grant the application if it determines that for noncontributing structures, the proposed work is compatible with the historic overlay district.

SITE PLAN





## WINDOW SCHEDULE AND INFORMATION

WINDOW SCHEDULE							
TYPemark	ROUGH OPENING		COUNT	MANUFACTURER	MODEL	MATERIAL	FINISH
	HEIGHT	WIDTH					
A	55.5"	36"	49	Alside	1700 Series	Vinyl	Beige
B	73.5"	60"	14	Alside	1700 Series	Vinyl	Beige
C	32"	28"	24	Alside	1700 Series	Vinyl	Beige

### Color Collection

Create custom appeal with our broad color collection. Exterior colors feature a cutting-edge polyurethane coating technology with heat reflective pigments for a remarkably strong and fade-resistant finish.

#### Interior Colors

White



Beige



Classic Clay

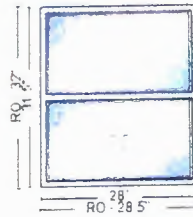
# WINDOW SCHEDULE AND INFORMATION

Item #	Width x Height	UI	Description
A	36" X 55.5"	92	



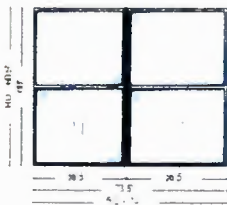
1700-1700 Series Single Hung 36 x 55.5  
 Sash Split = Even  
 Operation / Venting = Single Hung  
 Mild Bevel / Integral 1" Nailfin Setback  
 Frame Color = Beige  
 CLIMATECH ELITE, Double Strength  
 U-Factor = 0.29 CR = 56, SHGC = 0.22, VT = 0.52, CPD  
 = ASO-A-116-01077-00001  
 No Jamb Extension, Frame Size  
**Line Item Notes:**

Item #	Width x Height	UI	Description
C	28" X 31.5"	60	



1700-1700 Series Single Hung 28 x 31.5  
 Sash Split = Even  
 Operation / Venting = Single Hung  
 Mild Bevel / Integral 1" Nailfin Setback  
 Frame Color = Beige  
 CLIMATECH ELITE, Double Strength  
 U-Factor = 0.29, CR = 56, SHGC = 0.22, VT = 0.52, CPD  
 = ASO-A-116-01077-00001  
 No Jamb Extension, Frame Size  
**Line Item Notes:**

Item #	Width x Height	UI	Description
B	73.5" X 60"	134	



1700-1700 Series Single Hung / Single Hung 73.5 x 60  
 Sash Split = Even  
 Operation / Venting = Single Hung  
 Mild Bevel / Integral 1" Nailfin Setback  
 Frame Color = Beige  
 CLIMATECH ELITE, Double Strength  
 U-Factor = 0.29, CR = 56, SHGC = 0.22, VT = 0.52, CPD  
 = ASO-A-116-02123-00001  
 No Jamb Extension, Frame Size  
 Vertical Factory 0.5" thick, 60" length  
**Line Item Notes:**

# WINDOW SCHEDULE AND INFORMATION

## Single and Double-Hung Windows for Any Application



The elegance of double hung windows offers a timeless, refined look that is sure to complement any interior design. Available in a variety of finishes, colors and styles, these windows are the perfect choice for any application.

### Black and Tuck-In Finishes

Available in a variety of finishes, these windows offer a timeless, refined look that is sure to complement any interior design. Available in a variety of finishes, colors and styles, these windows are the perfect choice for any application.

Black and tuck-in finishes are available in a variety of colors and styles, including white, black, and custom colors.

Cove-style look with recessed panels is available in a variety of colors and styles, including white, black, and custom colors.

Rusticated muntin cap is available in a variety of colors and styles, including white, black, and custom colors.

Solid vinyl construction with fluted inside corners is available in a variety of colors and styles, including white, black, and custom colors.

Slip-on sill is available in a variety of colors and styles, including white, black, and custom colors.

### Interior Glazed Fixed Lite

Available in a variety of finishes, these windows offer a timeless, refined look that is sure to complement any interior design. Available in a variety of finishes, colors and styles, these windows are the perfect choice for any application.

Interior glazed fixed lite is available in a variety of colors and styles, including white, black, and custom colors.

### Cove-Style Look with Recessed Panels

Available in a variety of finishes, these windows offer a timeless, refined look that is sure to complement any interior design. Available in a variety of finishes, colors and styles, these windows are the perfect choice for any application.

Cove-style look with recessed panels is available in a variety of colors and styles, including white, black, and custom colors.

### Rusticated Muntin Cap

Available in a variety of finishes, these windows offer a timeless, refined look that is sure to complement any interior design. Available in a variety of finishes, colors and styles, these windows are the perfect choice for any application.

Rusticated muntin cap is available in a variety of colors and styles, including white, black, and custom colors.

### Solid Vinyl Construction with Fluted Inside Corners

Available in a variety of finishes, these windows offer a timeless, refined look that is sure to complement any interior design. Available in a variety of finishes, colors and styles, these windows are the perfect choice for any application.

Solid vinyl construction with fluted inside corners is available in a variety of colors and styles, including white, black, and custom colors.

### Slip-On Sill

Available in a variety of finishes, these windows offer a timeless, refined look that is sure to complement any interior design. Available in a variety of finishes, colors and styles, these windows are the perfect choice for any application.

Slip-on sill is available in a variety of colors and styles, including white, black, and custom colors.

# A New View on Style and Performance

## Compare the new View to your top Mulling

	1500	1500
Fusion-welded frame and sash	•	•
Sealed sill hung units	•	•
Double and triple mullion system	•	•
Integral drain/moisture channel		•
Removable mullion cap	•	•
Interior glazed lead top glass, removable from the inside	•	•
J-Box Mullion Mulling System	•	•
Continuous frame for twin and triple units	0	0
J-Box Mulling with business fit		0
Double-mullion platform sash extension	0	0
Exterior colors	0	0
Meets ENERGY STAR requirements in all four climate zones	0	0
• Standard • Available		

### Frame Options

Multiple framing options streamline installation for every type of construction, cladding, and masonry type with dependable jobsite delivery options to improve the contractor and customer experience with today's design trends in mind.



1. Standard double mullion with business fit

2. Double mullion with double mullion and mullion cap

3. Double mullion with double mullion and mullion cap

### Drywall Return Channel

For field installations, a handy "J" or "D" drywall return channel offers an alternative to wood trim and caulking while providing a clean, professional finish. Available in 21 weights, easily fits in to any size.



### J-Channel Quick Fix Repair Kit

Small repair channels replace damaged material caused by stray hammer swings. A quick and easy solution for all the head aches. Available in 21 weights, easily fits in to any size.



### Metal Reinforced Mulling System

For greater structural integrity across mullion window units, a metal channel secures one window unit frame to another for added strength to multiple units together.



The metal band provides added rigidity for shoring and additional reinforcement at the mull intersections for installation. The end cap of the top provides a system to direct water away from the muller.

### Casement Opening System Options



Standard opening system allows easy handling of units, slides from inside the frame.

Egress hardware option allows maximum window opening for compliance with building safety standards.

ELEVATION 1- EAST (FACING N CRAWFORD)



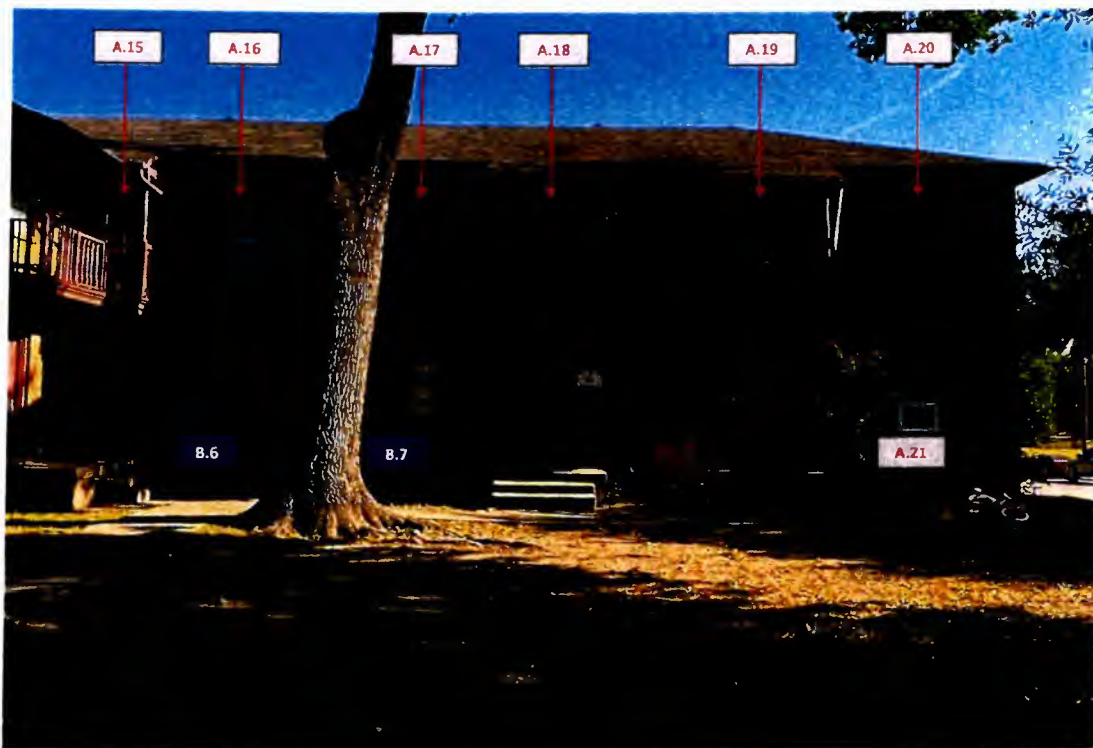
ELEVATION 2- COURTYARD SOUTH



ELEVATION 3- COURTYARD WEST



ELEVATION 4- COURTYARD NORTH





ELEVATION 5- NORTH



ELEVATION 6- WEST



# ELEVATION 7- SOUTH



## EXTERIOR BUILDING PAINT



\*\*\* BRICK WILL NOT BE PAINTED

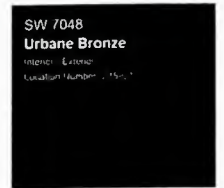
### Proposed Colors

SW 2829  
**Classical White**  
Interior / Exterior



SHUTTERS / TRIM / DOORS  
(PT-01)  
Sherwin Williams  
Classical White SW2829

SW 7048  
**Urbane Bronze**  
Interior / Exterior  
Location Number: 15011



Building Trim (PT-02)  
Sherwin Williams  
Urban Bronze SW 7048

EXAMPLES: NEIGHBORHOOD



836 N BECKLEY AVE



1123 N CRAWFORD



606 N MARSALIS AVE



515 N MARSALIS AVE



## DOOR SCHEDULE

DOOR SCHEDULE							
TYPE	COUNT	HEIGHT	WIDTH	MANUFACTURER	MODEL	DESCRIPTION	FINISH
1	12	6'-8"	3'-0"	MASONITE	CRAFTSMAN 6 LITE		PAINTED
2	8	6'-8"	3'-0"	MASONITE	FULL LITE		



EXAMPLE OF EXISTING  
IN AREA

## EXTERIOR DOORS AND ARCHITECTURAL ELEMENTS

- 1 EXISTING EXTERIOR DOOR  
(COURTYARD FACING)



PROPOSED DOOR  
(COURTYARD FACING)

- 2 EXISTING TO REMAIN – TO BE PAINTED  
(REAR ENTRY)



EXISTING TO REMAIN  
(REAR BUILDING)

**H** Historic Color  
SW 2829  
**Classical White**  
FULL DETAILS ^  
LRV: 76   
RGB: 236 / 235 / 203  
Hex Value: #ECE1CB

PAINT COLOR

## EXTERIOR DOOR SPECIFICATION – UNIT ENTRY DOOR

1

### Dimensions

Door Height (in.)	81 1/4"	Door Thickness (in.)	1 7/8"
Door Width (in.)	37 5/8"	Jamb Size (in.)	3-9/16"
Nominal Door Height (in.)	80"	Nominal Door Thickness (in.)	2"
Nominal Door Width (in.)	36"	Rough Opening Height (in.)	82"
Rough Opening Width (in.)	38 1/2"		

### Details

Bore Type	Double Bore	Color Family	White
Color/Finish	Primer White	Door Configuration	Single Door
Door Glass Insulation	Triple Pane	Door Handing	Left-Hand/Inswing
Door Style	Traditional	Door Type	Exterior Prehung
Features	Lockset Bore (Double Bore) Weatherstripping	Finish Type	Primer
Frame Material	Wood	Glass Caming Finish	No caming
Glass Layout	1-1 Lite	Glass Shape	Rectangle Lite
Glass Style	Clear Glass	Hinge Finish	Black
Hinge Type	Standard	Included	No Additional Items Included
Material	Fiberglass	Number of Hinges	3
Number of Lites	6 Lite	Panel Type	2 Panel
Product Weight (lb.)	110	Suggested Application	Front



## EXTERIOR DOOR SPECIFICATION – BACK UNIT DOOR

2

### Dimensions

Door Height (in.)	81.5 in.	Door Thickness (in.)	1.75 in.
Door Width (in.)	37.5 in.	Jamb Size (in.)	4.875 in.
Nominal Door Height (in.)	80 in.	Nominal Door Thickness (in.)	2 in.
Nominal Door Width (in.)	36 in.	Rough Opening Height (in.)	92 in.
Rough Opening Width (in.)	38 in.		

### Details

Bore Type	Double Bore	Color Family	White
Color/Finish	White Primed	Door Configuration	Single Door
Door Glass Insulation	Double Glazed Low E	Door Handing	Left Hand/Inswing
Door Style	Traditional	Door Type	Exterior Prehung
Features	Lockset Bore (Double Bore) Weatherstripping	Finish Type	Primed
Frame Material	Wood	Glass Clearing Finish	No Clearing
Glass Layout	Full Lite	Glass Shape	Rectangle Lite
Glass Style	Clear Glass	Hinge Finish	Satin Floor
Hinge Type	Ball Bearing	Included	No Additional Items Included
Material	Fiberglass	Number of Hinges	3
Number of Lites	1 Lite	Panel Type	No Panel
Product Weight (lb.)	100 lb.	Suggested Application	Back Basement Entry Front Side

### Warranty / Certifications

Energy Star Qualified	North-Central Northern South-Central Southern	Manufacturer Warranty	25 Years Limited
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## EXTERIOR SHUTTERS

EXISTING EXTERIOR SHUTTERS TO BE REMOVED.  
(INTERIOR COURTYARD AND STREET PARK FACING)



# INTERIOR COURTYARD ENTRY / BALCONY DETAILS & EXTERIOR PERIMETER



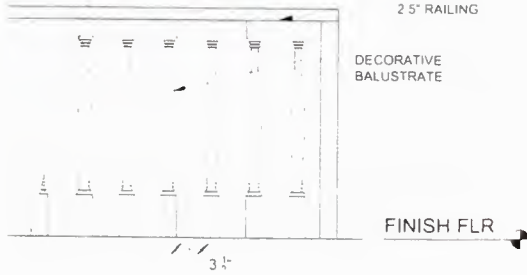
COLUMN DETAIL TO REMAIN

POST AND RAILING TO BE RESTORED TO DECORATIVE BALUSTRATE

EXISTING OVERHANG TO REMAIN  
NEW PAINT



ALL WOOD MATERIALS TO BE PAINTED PER SPECIFICATION

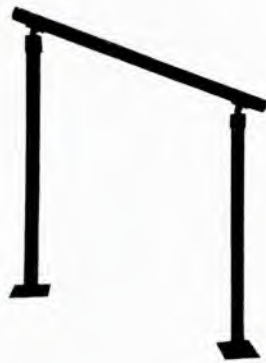


**H** HISTORIC COLOR  
SW 2828  
**Classical White**  
FULL DETAILS ^  
LRV: 76   
RGB: 236 / 225 / 203  
Hex Value: #ECE1CB

PAINT COLOR

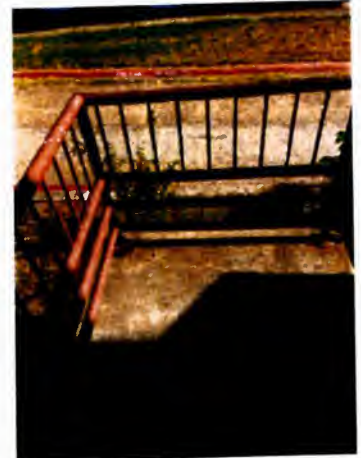
## EXTERIOR RAILING AT STREET ENTRY

EXISTING RAILING AT STAIRS TO BE REPLACED FOR SIMPLER HAND RAIL



TUBULAR RAILING – SIMILAR TO EXISTING TO REMAIN ONSITE

EXISTING RAILING TO REMAIN NEW PAINT

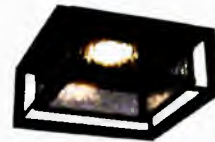


H PROSPECTOR C1801  
#W 2429  
**Classical White**  
FULL DETAILS ^  
LAMP: 76 0  
RGB: 236 / 225 / 203  
Hex Value: #ECE1CB

PAINT COLOR

## EXTERIOR LIGHTING

### ENTRY AWNING LIGHT



### Hartbrook Outdoor Ceiling Light In Matte Black

SKU: W006405571

By Latitude Run®

#### Features

- Versatile: Perfect placement: ideal for entryway, dining, patio, or any outdoor location.
- Modern Look: Flat top, sleek and thin design with durable frame (iron, water glass, and matte black finish).
- Strong and Durable: Constructed of high quality weather resistant aluminum.
- Long-Lasting Integrated LED Light: Features energy efficient light bulbs with the equivalent of 100W LED, 10W (equivalent to 100W incandescent) energy saving LED light (2 years).
- Energy Efficient: 10W LED, comparable to 100W incandescent bulb. 100% LED provides warm white light perfect for outdoor lighting.
- Adjustable: With adjustable knobs, ideal for your lighting needs in any element such as ambient, task, or accent lighting.
- Versatile: Perfect placement: ideal for entryway, dining, patio, or any outdoor location.
- Multiple Color: 10W LED, 100% LED, energy efficient, frame: High quality glass, and matte black finish.
- Strong and Durable: Constructed of high quality weather resistant aluminum.
- Energy Efficient: 10W LED, comparable to 100W incandescent bulb. 100% LED provides warm white light perfect for outdoor lighting.

#### Weights & Dimensions

- Weight: 2.5 lbs. (1.1 kg)
- Dimensions: 12" x 12" x 4"

## EXTERIOR LIGHTING

### BACK ENTRY WALL SCONCE



#### 1-Light Black Integrated LED Outdoor Wall Lantern With Dusk To Down Feature

SKU: W007121109

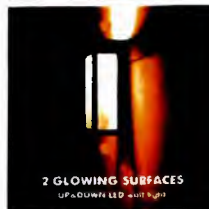
By Latitude Run®

##### Features

- Constructed of high quality aluminum
- Decorative with leaded glass
- Dusk to down feature with light turning off at dusk and on at dawn for energy savings
- 30 lumens with 2.5W LED, color temperature is 2700K
- Warm white light

##### Weights & Dimensions

- Overall 1.68" H x 4.71" W x 3.36" D
- Back Plate 0.25" H x 4.14" W
- Body 3.56" H x 4.71" W x 3.36" D
- Overall Product Weight 3.14lb



## EXAMPLES: NEIGHBORHOOD EXISTING DESIGN



EXAMPLE OF NEIGHBORING PROPERTIES WITH SIMILAR WALL AND FENCE PROPOSED DESIGN

**PROCEDURE FOR APPEAL OF  
CERTIFICATES OF APPROPRIATENESS  
TO THE CITY PLAN COMMISSION**

(Revised April 2014)

1. **Postponements.**
  - a. The City Plan Commission may grant a postponement if it wishes
  - b. Dallas Development Code §51A-4.701(e), regarding postponement of zoning applications by the applicant, does not apply
  
2. **Content of the record.**
  - a. Copies of the complete record will be distributed by staff to the City Plan Commission two weeks before the scheduled hearing
  - b. The parties may request that the record be supplemented
  
3. **Additional correspondence and briefs.**
  - a. Additional correspondence or briefs, if any are desired to be submitted by the parties, should be provided to the planning staff for distribution to the City Plan Commission.
  - b. The parties should provide each other with copies of any information they submit to the City Plan Commission.
  - c. Interested parties should not make any contacts with commission members other than those submitted through the city staff.
  
4. **Representation of the Landmark Commission.**
  - a. The Landmark Commission will be represented by Laura Morrison



5. Order of the hearing.

- a. Each side will receive 20 minutes (exclusive of questions from the City Plan Commission) with 5 minutes for rebuttal by appellant
- b. Order of the hearing.
  - (1) Preliminary matters.
    - (A) Introduction by the Chair
  - (2) Appellant's case (20 minutes). \*
    - (A) Presentation by the appellant's representative
    - (B) Questions from Commission Members
  - (3) Landmark Commission's case (20 minutes) \*\*
    - (A) Presentation by the Landmark Commission's representative.
    - (B) Questions from Commission Members
  - (4) Rebuttal/closing by the appellant's representative (5 minutes)
  - (5) Decision by the City Plan Commission. \*\*

\* If a party requires additional time to present its case, including testimony and evidence concerning the previous recommendations and actions of the city staff and the Landmark Commission and its task forces, the party shall request that additional time be granted by the City Plan Commission. If the Commission grants one party additional time, the opposing party shall also be granted a similar time extension.

\*\* In considering the appeal, the City Plan Commission shall hear and consider testimony and evidence concerning the previous recommendations and actions of the city staff and the Landmark Commission and its task forces.

6. Introduction of new evidence at the hearing.

- a. The City Plan Commission may only hear new testimony or consider new evidence that was not presented at the time of the hearing before the Landmark Commission to determine whether that testimony or evidence was available at the Landmark Commission hearing.
- b. If the City Plan Commission determines that new testimony or evidence exists that was not available at the Landmark Commission hearing, the City Plan Commission shall remand the case back to the Landmark Commission.
- c. The party attempting to introduce new evidence bears the burden of showing that the evidence was not available at the time of the Landmark Commission's hearing.
- d. Newly presented evidence is subject to objection and cross examination by the opposing party.

7. Remedies of the City Plan Commission.

- a. The City Plan Commission may reverse or affirm, in whole or in part, or modify the decision of the Landmark Commission.
  - b. The City Plan Commission shall give deference to the Landmark Commission decision and may not substitute its judgment for the Landmark Commission's judgment. The City Plan Commission shall affirm the Landmark Commission decision unless it finds that it:
    - (1) violates a statutory or ordinance provision,
    - (2) exceeds the Landmark Commission's authority, or
    - (3) was not reasonably supported by substantial evidence considering the evidence in the record.
- The City Plan Commission may remand a case back to the Landmark Commission for further proceedings.