

September 7, 2021



CITY OF DALLAS
LANDMARK COMMISSION MINUTES

The Dallas Landmark Commission held a meeting on September 7, 2021 with a briefing at 9:39 a.m. and the Public Hearing at 1:03 p.m. online with WebEx.

The following Commissioners were present for the meeting:

| | |
|--|--------------------------------|
| Sam Childers, Dist. 11 | Katy Slade – Dist. 13 |
| Katherine Haskel – Chair – Dist. 3 | Courtney Spellicy – Dist. 8 |
| Evelyn Montgomery – Vice Chair – Dist. 2 | Edward Stone – Alt. – Dist. 2 |
| Louis Renaud – Dist. 9 | Robert Swann – Dist. 4 |
| Leigh Richter – Dist. 12 | Elaine Velvin, Alt. – Dist. 11 |
| Diane Sherman – Dist. 1 | |

The following ex-officio member was present for the meeting: **No one**

The following ex-officio member was absent for the meeting: **No one**

The following Commissioners were absent from the Meeting:

Rosemary Hinojosa, Dist. 6
Cynthia Steiner, Dist. 15 **(Joined the meeting at 2:33p.m.)**

The following Commissioners were absent from the briefing:

Rosemary Hinojosa, Dist. 6
Cynthia Steiner, Dist. 15 **(Joined the meeting at 2:33p.m.)**

The following Positions are vacant:

Districts 5, 7, 10 and 14

The following Staff was present:

| | |
|-------------------|--------------------|
| Jennifer Anderson | Bertram Vandenberg |
| Trevor Brown | |
| Liz Casso | |
| Elaine Hill | |
| Murray Miller | |
| Melissa Parent | |

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

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

Public Testimony:

No speakers

Approval of Minutes – August 2, 2021

Motion was made to move Consent Items, C11 and C12 to the Discussion Agenda.

| | | | | | |
|----------|------------|------------|---|----|---|
| Maker: | Montgomery | | | | |
| Second: | Childers | | | | |
| Results: | 11/0 | | | | |
| | | Ayes: | - | 11 | Childers, Haskel, Montgomery, Renaud, Richter, Sherman, Slade, Spellicy, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 2 | Hinojosa, Steiner |
| | | Vacancies: | - | 4 | District 5, 7,10 and 14 |

Motion was made to approve consent items, C1 – C8, C10 and C14 following staff recommendations with a condition on item C7 regarding the two windows, the newer window must match the original window in color.

Landmark Commission Minutes
Tuesday, September 7, 2021

| | | | | | |
|----------|------------|------------|---|----|---|
| Maker: | Montgomery | | | | |
| Second: | Sherman | | | | |
| Results: | 11/0 | | | | |
| | | Ayes: | - | 11 | Childers, Haskel, Montgomery, Renaud, Richter, Sherman, Slade, Spellicy, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 2 | Hinojosa, Steiner |
| | | Vacancies: | - | 4 | District 5, 7,10 and 14 |

Motion was made to approve Consent Item C9 following Staff Recommendations

| | | | | | |
|----------|------------|------------|---|----|---|
| Maker: | Montgomery | | | | |
| Second: | Sherman | | | | |
| Results: | 11/0 | | | | |
| | | Ayes: | - | 11 | Childers, Haskel, Montgomery, Renaud, Richter, Sherman, Slade, Spellicy, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 2 | Hinojosa, Steiner |
| | | Vacancies: | - | 4 | District 5, 7,10 and 14 |

Motion was made to approve Consent Item C13 following Staff Recommendations.

| | | | | | |
|----------|------------|------------|---|----|--|
| Maker: | Montgomery | | | | |
| Second: | Childers | | | | |
| Results: | 10/0 | | | | |
| | | Ayes: | - | 10 | Childers, Haskel, Slade, Montgomery, Renaud, Richter, Spellicy, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 3 | Hinojosa, Steiner, Sherman |
| | | Vacancies: | - | 4 | District 5, 7,10 and 14 |

Commissioner Sherman did not hear or vote on this item.

Motion was made to re-order the Discussion Agenda and hear items, CR, D1, D2, D3, D4, D6, D5 and C12.

| | | | | | |
|--------|------------|--|--|--|--|
| Maker: | Montgomery | | | | |
|--------|------------|--|--|--|--|

| | | | | | |
|----------|-------|------------|---|----|---|
| Second: | Swann | | | | |
| Results: | 11/0 | | | | |
| | | Ayes: | - | 11 | Childers, Haskel, Montgomery, Renaud, Richter, Sherman, Slade, Spellicy, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 2 | Hinojosa, Steiner |
| | | Vacancies: | - | 4 | District 5, 7, 10 and 14 |

CONSENT ITEMS

1. 4845 Swiss Ave Unit 201

Swiss Avenue Historic District
CE201-009(MLP)
Melissa Parent

Approval of the Certificate of Eligibility and approval of \$60,000 in expenditures spent on rehabilitation prior to the issuance of the Certificate of Eligibility.

2. 4845 Swiss Ave Unit 203

Swiss Avenue Historic District
CE201-010(MLP)
Melissa Parent

Approval of the Certificate of Eligibility and approval of \$60,000 in expenditures spent on rehabilitation prior to the issuance of the Certificate of Eligibility.

3. 4845 Swiss Ave Unit 304

Swiss Avenue Historic District
CE201-011(MLP)
Melissa Parent

Approval of the Certificate of Eligibility and approval of \$60,000 in expenditures spent on rehabilitation prior to the issuance of the Certificate of Eligibility.

4. 5703 Swiss Ave

Swiss Avenue Historic District
CA201-012 (MLP)
Melissa Parent

Approval of the Certificate of Eligibility and approval of \$349,000 in expenditures spent on rehabilitation prior to the issuance of the Certificate of Eligibility.

5. 703 Lipscomb Avenue

Junius Heights Historic District
CE178-016(MLP/MD)
Melissa Parent

Approval of the request for a 1-year extension of completion date.

6. 2908 METROPOLITAN AVE

Phyllis Wheatley Elementary School
CA201-594(LC)
Liz Casso

1. Construct new concrete porch on south elevation of gym building, including a ramp, stair, and aluminum canopy - Approve drawings and specifications dated 9/7/21 with the finding the proposed work is consistent with preservation criteria Section 3.3 for non-protected facades, and meets the contributing standards in City Code Section 51A-4.501(g)(6)(C)(i).
2. Install three new window openings on south elevation of gym building - Approve drawings and specifications dated 9/7/21 with the finding the proposed work is consistent with preservation criteria Section 3.3 for non-protected facades and meets the contributing standards in City Code Section 51A-4.501(g)(6)(C)(i).
3. Install one new window opening on east elevation of gym building - Approve drawings and specifications dated 9/7/21 with the finding the proposed work is consistent with preservation criteria Section 3.3 for non-protected facades and meets the contributing standards in City Code Section 51A-4.501(g)(6)(C)(i).

7. 5120 WORTH ST

Munger Place Historic District
CA201-608(MLP)
Melissa Parent

Replace nine wood window units with new wood windows. Work completed without Certificate of Appropriateness. – - Approve drawings and specifications dated 9/7/2021 with the condition the front façade window muntins and mullions be painted to match existing windows with the finding the proposed work is consistent with the criteria for windows and doors in the preservation criteria Section 51P-97.111(c)(1)(S)(vii)(cc) and it meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

8. 4827 GASTON AVE

Peak's Suburban Addition Neighborhood Historic District
CA201-597(MP)
Marsha Prior

Install wood sign on front elevation - Approve drawing dated 9/7/21 with the finding the proposed work is consistent with preservation criteria Section 7.3 for signs and meets the non-contributing standards in City Code Section 51A-4.501(g)(6)(C)(ii).

9. 4820 JUNIUS ST

Peak's Suburban Addition Neighborhood Historic District
CA201-599(MP)
Marsha Prior

Construct two-story house with landscaping and flat concrete work – Approve with Conditions - Construct two-story house with landscaping, fence, and flat concrete work – Approve with Conditions that buff brick is used; that more detail is provided for the window and door trim, that the number of steps and grade is corrected in the drawings; that the roof pitch is changed to 9:12 and the floor-to-ceiling height is lowered so that the proposed overall height of the structure remains the same; and that no Italian Cypress trees are planted in the front 50% of the lot with the finding that the proposed work is consistent with preservation criteria Section 4.1 through 4.8 and meets the standards in City Code Section 51A-4.501(g)(6)(C)(ii).

Staff member Liz Casso did not hear this case.

10. 4702 SWISS AVE

Peak's Suburban Addition Neighborhood Historic District
 CA201-600(MP)
 Marsha Prior

Install a porch railing on front wraparound porch - Approve drawing dated 9/7/21 with the finding the proposed work meets the contributing standards in City Code Section 51A-4.501(g)(6)(C)(i).

11. 2731 PARK ROW AVE (MOVED TO DISCUSSION)

South Blvd/Park Row Historic District
 CA201-601(MP)
 Marsha Prior

1. Construct a rear addition.
2. Replace damaged wood siding.

Speakers: For: Marcus Richardson
 Against: No Speakers

Motion

1. Construct a rear addition – Deny without Prejudice with the finding of fact the side gable as proposed would become dominant over the front façade.
2. Replace damaged wood siding - Approve drawing dated 9/7/21 with the finding the proposed work is consistent with preservation criteria Section 3(b)(6)(A) and (B) for materials and meets the contributing standards in City Code Section 51A-4.501(g)(6)(C)(i).

| | | | | | |
|----------|----------|------------|---|----|---|
| Maker: | Sherman | | | | |
| Second: | Childers | | | | |
| Results: | 11/0 | | | | |
| | | Ayes: | - | 11 | Childers, Haskel, Montgomery, Renaud, Richter, Sherman, Slade, Spellicy, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 2 | Hinojosa, Steiner |
| | | Vacancies: | - | 4 | District 5, 7, 10 and 14 |

12. 201 LANDIS ST (MOVED TO DISCUSSION)

Tenth Street Neighborhood Historic District
 CA201-604(MP)
 Marsha Prior

1. Install new composite roof shingles.
2. Install new Victorian Style front door.
3. Reconstruct front porch.
4. Removal of door opening on front elevation.

Speakers: For: No Speakers
 Against: No Speakers

Motion

1. Install new composite roof shingles - Approve drawing dated 9/7/21 with the finding the proposed work is consistent with preservation criteria Section 2.19 for roofs and meets the contributing standards in City Code Section 51A-4.501(g)(6)(C)(i).
2. Install new Victorian Style front door - Approve drawing dated 9/7/21 with the finding the proposed work is consistent with preservation criteria Section 2.11 for fenestration and openings, and meets the contributing standards in City Code Section 51A-4.501(g)(6)(C)(i).
3. Reconstruct front porch - Reconstruct front porch - Approve with the condition that the front porch footprint be adjusted so that the footprint aligns on both sides of the concrete steps, with the finding the proposed work is consistent preservation criteria Sections 2.21, 2.22, and 2.24 for porches, and meets the contributing standards in City Code Section 51A-4.501(g)(6)(C)(i).
4. Removal of door opening on front elevation – Deny without Prejudice the proposed work does not comply with preservation criteria section 2.11 and with a finding of fact that removing the door opening at the northern terminus of the wrap around porch would adversely affect the relationship of the porch to the enclosed area of the contribution structure and the relationship of the house to its historical context.

| | | | | | |
|----------|--------|------------|---|----|--|
| Maker: | Swann | | | | |
| Second: | Velvin | | | | |
| Results: | 12/0 | | | | |
| | | Ayes: | - | 12 | Childers, Haskel, Montgomery, Renaud, Richter, Sherman, Slade, Spellicy, Steiner, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 1 | Hinojosa |
| | | Vacancies: | - | 4 | District 5, 7, 10 and 14 |

13. 101 S CLINTON AVE

Winnetka Heights Historic District
 CA201-605(MLP)
 Melissa Parent

Install new roofing shingles in "Patriot Red" - Approve specifications dated 9/7/2021 with the finding the proposed work is consistent with the criteria for roof forms in the preservation criteria Section 51P-97.111(a)(14)(B) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

Commissioner Sherman did not hear or vote on this item.

14. 222 N MONTCLAIR AVE

Winnetka Heights Historic District
 CA201-537(MLP)
 Melissa Parent

1. Paint main structure. Brand: Farrow and Ball Main: "Vert de Terre." Trim: "All White." Accent: "Studio green."- Approve specifications dated 9/7/2021 with the finding the proposed work is consistent with the criteria for color in the preservation criteria Section 51P-97.111(a)(8)(C) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).
2. Install three new copper gas lanterns on front porch of main structure – Approve - Approve specifications dated 9/7/2021 with the finding the proposed work is consistent with the criteria for outdoor lighting in the preservation criteria Section 51P-97.111(b)(4) and meets the standards in City Code Section 51A-4.501(g)(6)(C)(i).

COURTESY REVIEW

1. 2712 SWISS AVE

Saint Joseph's Catholic Church
CR201-005(LC)
Liz Casso

1. Courtesy Review - Construct sunken patio and basement level entry, including converting a basement window to a door opening, at north (front) elevation - Recommend conceptual approval of the sunken patio with the conditions that the applicant restudy the proposed brick retaining wall at ground level on the front elevation and consider metal picket railing (or similar) which would not obscure view of the structure, that they provide a floor plan and more details on the proposed recessed basement entry, with the understanding that the final design, as well as any associated elevations, renderings, and details are submitted for final Landmark Commission review.
2. Courtesy Review - Remove non-historic rear addition and construct a dual-level, stacked parking system and second floor balcony - Recommend conceptual approval of the rear addition with the condition the addition is inset from the edges of the original rear elevation in order to maintain views of the coining detail at the corners of the structure, with the understanding that the final design, as well as any associated elevations, renderings, and details are submitted for final Landmark Commission review.

DISCUSSION ITEMS

1. 2712 SWISS AVE

Saint Joseph's Catholic Church
CA201-595(LC)
Liz Casso

1. Replace the lower sash of all first and second floor windows on school building.
2. Install new hardscaping (TrueGrid Permeable Pavers).

Speakers: For: Stephanie Reid
Quincy Holloway

Against: No Speakers

Motion

1. Replace the lower sash of all first and second floor windows on school building – Deny without Prejudice with the finding of fact a response from the applicant on a more detailed window survey and an energy efficient survey on how much energy would be saved.

1. Construct new main multifamily structure on vacant lot.
2. Construct new secondary multifamily structure on vacant lot.

Speakers: For: Stephanie Behring
 Against: No Speakers

Motion

1. Construct new main multi-family structure on vacant lot – Denial without prejudice - The proposed work does not meet the standards in City Code Section 51A-4.501(g)(6)(C)(ii) on the basis that the proposed work will have an adverse effect on the future preservation, maintenance and use of the structure or the historic overlay district.
2. Construct new secondary multifamily structure on vacant lot - Denial without prejudice - The proposed work does not meet the standards in City Code Section 51A-4.501(g)(6)(C)(ii) on the basis that the proposed work will have an adverse effect on the future preservation, maintenance and use of the structure or the historic overlay district.

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|----------|---------|------------|---|----|--|
| Maker: | Renaud | | | | |
| Second: | Sherman | | | | |
| Results: | 12/0 | | | | |
| | | Ayes: | - | 12 | Childers, Haskel, Montgomery, Renaud, Richter, Sherman, Slade, Spellicy, Steiner, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 1 | Hinojosa |
| | | Vacancies: | - | 4 | District 5, 7,10 and 14 |

4. 1102 E 9TH ST

Tenth Street Neighborhood Historic District
 CA201-602(MP)
 Marsha Prior

Construct a two-story house and detached garage.

Speakers: For: Jay Taylor
 Against: No Speakers

Motion

Construct a two-story house and detached garage - Deny without prejudice - The proposed work does not meet the standards in City Code Section 51A-4.501(g)(6)(C)(i) because it is inconsistent with preservation criteria Section 3.2 for New Construction which states that new construction must be of appropriate massing, roof form, shape, materials, detailing and color and have fenestration and solids-to-voids ratios that are typical of the historic structures, and inconsistent with criteria 3.3 which states that vinyl, aluminum or other imitation materials are

not acceptable cladding materials for the construction of a new main structure in this district. In addition, it is inconsistent with Secretary of the Interior’s Standard #9, which states that new construction may not destroy historic spatial relationships that characterize the property or district.

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|----------|----------|------------|---|----|---|
| Maker: | Spellicy | | | | |
| Second: | Velvin | | | | |
| Results: | 11/0 | | | | |
| | | Ayes: | - | 11 | Childers, Haskel, Montgomery, Renaud, Richter, Sherman, Slade, Spellicy, Steiner, Stone, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 2 | Hinojosa, Swann |
| | | Vacancies: | - | 4 | District 5, 7, 10 and 14 |

Commissioner Swann did not hear or vote on this item

5. 1208 E 10TH ST

Tenth Street Neighborhood Historic District
CA201-603(MP)
Marsha Prior

1. Remove and replace metal columns with wood columns.
2. Remove and replace decorative shutters.
3. Install 6 ft fence in side yards.

Speakers: For: Jay Taylor

Against: No Speakers

Motion

1. Remove and replace metal columns with wood columns - Approve drawing dated 9/7/21 with the finding the proposed work is consistent with preservation criteria Section 2.22 for porches, and meets the contributing standards in City Code Section 51A-4.501(g)(6)(C)(i).
2. Remove and replace decorative shutters - Deny without prejudice - The proposed work does not meet the standards in City Code Section 51A-4.501(g)(6)(C)(i) because it is inconsistent with preservation criteria Section 2.3 for facades, which states that all alterations must be architecturally sensitive and appropriate to the overall design of the existing structure.
3. Install 6 ft fence in side yards - Approve drawing dated 9/7/21 with the finding the proposed work is consistent with preservation criteria Sections 1.9, 1.11, 1.13 and 1.14, for fences, and meets the contributing standards in City Code Section 51A-4.501(g)(6)(C)(i).

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|----------|----------|--|--|--|--|
| Maker: | Swann | | | | |
| Second: | Spellicy | | | | |
| Results: | 12/0 | | | | |

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|--|--|------------|---|----|--|
| | | Ayes: | - | 12 | Childers, Haskel, Montgomery, Renaud, Richter, Sherman, Slade, Spellicy, Steiner, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 1 | Hinojosa |
| | | Vacancies: | - | 4 | District 5, 7,10 and 14 |

6. 100 N CLINTON AVE

Murray G. Miller

Motion

Approve to decertify 100 North Clinton Avenue as a demolition by neglect property and notify the owner of the Commission’s determination.

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|----------|------------|------------|---|----|---|
| Maker: | Swann | | | | |
| Second: | Montgomery | | | | |
| Results: | 11/0 | | | | |
| | | Ayes: | - | 11 | Childers, Haskel, Montgomery, Renaud, Richter, Slade, Spellicy, Steiner, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 2 | Hinojosa, Sherman |
| | | Vacancies: | - | 4 | District 5, 7,10 and 14 |

7. Code Amendment.

City Attorney’s Office

Consideration of code amendment related to S.B. 1585 – A removal of one body from the section 51A 4.501 (c7) State Law in 2019 changed and required a 75% vote of the governing body City Council and the Zoning Planning or Historical Commission of the municipality, the City of Dallas, we interpreted that to require both the City Plan Commission and the Landmark Commission to give a 75% vote before designating a piece of property over the owners objection. The State Law was clarified this year and specified that only one of those bodies was required, either City Plan Commission or the Landmark Commission.

Motion

Regarding the Code Amendment responsive to SB 1585, I move that the Landmark Commission be designated as the entity with exclusive authority, other than the city council, to approve designations of property as a part of a historic district in those cases where the owner objects to such designation or inclusion.

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|---------|---------|--|--|--|--|
| Maker: | Steiner | | | | |
| Second: | Swann | | | | |

Landmark Commission Minutes
Tuesday, September 7, 2021

| | | | | | |
|----------|------|------------|---|----|--|
| Results: | 12/0 | | | | |
| | | Ayes: | - | 12 | Childers, Haskel, Sherman, Slade, Montgomery, Renaud, Richter, Spellicy, Steiner, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 1 | Hinojosa |
| | | Vacancies: | - | 4 | District 5, 7,10 and 14 |

OTHER BUSINESS ITEMS

Motion

Approval of Minutes – August 2, 2021

| | | | | | |
|----------|------------|------------|---|----|--|
| Maker: | Swann | | | | |
| Second: | Montgomery | | | | |
| Results: | 11/0 | | | | |
| | | Ayes: | - | 11 | Childers, Haskel, Montgomery, Renaud, Richter, Sherman, Slade, Spellicy, Steiner, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 1 | Hinojosa |
| | | Vacancies: | - | 4 | District 5, 7,10 and 14 |

Motion

Approval of the Landmark Commission Calendar FY22-23

| | | | | | |
|----------|----------|------------|---|----|--|
| Maker: | Sherman | | | | |
| Second: | Childers | | | | |
| Results: | 12/0 | | | | |
| | | Ayes: | - | 12 | Childers, Haskel, Montgomery, Renaud, Richter, Sherman, Slade, Spellicy, Steiner, Stone, Swann, Velvin |
| | | Against: | - | 0 | |
| | | Absent: | - | 1 | Hinojosa, |
| | | Vacancies: | - | 4 | District 5, 7,10 and 14 |

ADJOURNMENT

Hearing was adjourned at 3:13p.m.

Katherine Haskel, Chair

Date