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**MINUTES**  
**LANDMARK COMMISSION**  
June 27, 2017

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**MEMBERS PRESENT:**

Andy Lee, Chairperson  
Barney Brock  
Michele Derr  
John Dickinson  
Christy Graham  
Jim Johnson  
Stacie Flood  
Jackie Lebow  
Cindy Ramirez  
Michael Smith

■ Members  
■ P&Z Liaison  
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■ Council Liaison

Karen Gagné, Planning Administrator  
Matt Prouty, Planner II

■ City Staff  
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**ABSENT:**

N/A

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**I. Call to Order, and Introductions**

Chairperson Andy Lee called the meeting to order at 11:59 p.m.

**II. Review & Approval of Minutes from March 28, 2017**

Chairperson Lee called for review and approval of minutes from the April 25, 2017 Landmark Commission meeting. Mrs. Christy Graham made a motion to approve the minutes. Mr. Barney Brock seconded the motion. The motion was taken to a vote and passed unanimously.

**III. Application for Design Review – 500 8<sup>th</sup> Street (J.A. Kemp Wholesale Grocery Store/Depot Square) – Request to replace doors, windows, awnings and fence, as well as repair and repaint stucco and trim.**

Mr. Matt Prouty stated the property located at 500 8<sup>th</sup> Street, J.A. Kemp Wholesale Grocery, was located in the Depot Square National Historic District, and is both a designated local landmark and a Recorded Texas Historic Landmark (RTHL). He stated the applicants, Tyler and Logan Carrol, were proposing a comprehensive list of repairs, which had been submitted to and approved by the Texas Historical Commission (THC). He stated the applicants were proposing to replace the windows, the existing awnings, and the doors throughout the building, as well as construct a new front entry gate, a rear garage addition, and a loading dock with an ADA ramp. The applicants were also proposing to repair and repaint the stucco and trim.

Mr. Prouty stated THC had recommended that the new garage addition not be attached to the existing structure. He stated the existing awnings were not original to the building and would be replaced with more appropriate canvas awnings. He stated the existing windows were also not original to the building, and that THC had approved the fiberglass replacement windows that were being proposed.

Ms. Cindy Ramirez asked if all of the windows were going to be squared. Mr. Logan Carrol stated that the arches would remain, but the windows would be squared. Mrs. Christy Graham stated it was not out of character for the area to have squared windows with an in-filled arch. Ms. Ramirez asked if the arched windows were going to be replaced. Mrs. Tyler Carrol stated they would not be changing out the front windows, but would be scraping the paint off of them, cleaning them up, and replacing some of the glass.

Ms. Ramirez asked if the bars covering some of the windows was going to be more decorative than what was currently there. Mr. Carrol stated they would be replacing the existing bars with something more decorative and that the replacements would be inserted back into the existing penetrations. Mrs. Christy Graham stated it appeared that THC had done a thorough review of the proposed changes and that she was excited to see the improvements to the deteriorating structure.

Mrs. Christy Graham made the motion to approve the application as presented. Mr. Barney Brock seconded the motion. The commission voted on the motion; motion passed unanimously.

**IV. Application for Design Review – 2908 10<sup>th</sup> Street (West Floral Heights) – Request to demolish and replace addition.**

Mr. Matt Prouty stated the applicant was requesting to demolish and replace an addition to their house that was not part of the original structure. The replacement being proposed would be a 15 ft. x 24 ft. addition with exterior siding to match the existing, primary structure. He stated the roof would also match what is existing.

The applicant, Mr. Max Phipps, stated there were foundation issues with the existing addition and the sloping floor was causing the addition to pull away from the main house. Ms. Cindy Ramirez asked what the size difference would be between the existing addition and the new proposed addition. Mrs. Jan Phipps stated the size was approximately the same, but that the new addition would be more square than rectangular. She stated the new addition would not jut out like the existing addition, but would be continuous with the original structure.

Mrs. Michele Derr made the motion to approve the application as presented. Ms. Stacie Flood seconded the motion. The commission voted on the motion; motion passed unanimously.

**V. Application for Design Review – 1501 Tilden Street (West Floral Heights) – Request to replace existing slate tile with Malarkey Windsor shingles.**

Mr. Prouty stated the applicant was proposing to replace the damaged tile roof with architectural grade, Malarkey Windsor shingles. He stated, despite the applicant's

multiple attempts to patch the roof, the damage was causing water to leak into the home. He stated the tile type on the existing roof is no longer manufactured in the United States.

Mrs. Michele Derr asked if the replacement roof would be the same color as what was existing. The applicant, Mr. Adam DeHoyes, stated the new roof would be black. Ms. Cindy Ramirez asked if the existing roof was the original roof from the 1920's. Mr. DeHoyes stated it was the original roof. Ms. Ramirez asked if the new roof would have any color variation. Mr. DeHoyes stated there would be some gray tones included in the shingles, but for the most part the roof would be black.

Mr. Jim Johnson asked the applicant if he had received an estimate on how much it would cost to replace the roof with a similar material to the existing tile. He stated he did not, but knew that his neighbors down the street had and it had been in the range of \$40,000. Mr. Johnson stated he had faced a similar dilemma when purchasing his home. He stated the existing tile had been uninsurable, and to replace the tile was out of balance with the value of the home. He stated the Landmark Commission had approved a composite shingle roof replacement for his home.

Ms. Stacie Flood made the motion to approve the application as presented. Mr. John Dickinson seconded the motion. The commission voted on the motion; motion passed unanimously.

Chairperson Lee recused himself from the next two items on the agenda and turned the meeting over to Vice-Chairperson Christy Graham.

**VI. Application for Design Review – 800 Ohio Avenue (Zales Building) – Request to abate and remodel interior, install fire sprinklers, sewer, and grease traps.**

Mr. Prouty stated the applicant, Mrs. Amber Schacter, was proposing to continue abatement of the building and remodeling of the interior to include the installation of fire sprinklers, sewer, and grease traps. He stated the applicant would be establishing a kitchen, bakery, bar, and restaurant for private dining in the adjacent suites.

Syd Litteken, project architect, displayed the plans for the project and explained there would be a patio space, a grab and go bakery, a bar and bistro named "The Karat" in recognition of the Zales jewelry store, and a fine dining area called the "Morris Supper Club" after Morris Zales. He stated there would be adequate restroom facilities and the whole building would be sprinkled in order to satisfy any type of occupancy going forward. He stated the building was currently being rigged for the necessary utilities and easement agreements had been acquired with Casa Manana in order to install grease traps off of the shared alley.

Ms. Ramirez asked if the outdoor seating was going to be addressed at another time. Mr. Andy Lee stated that would be addressed at another meeting. Mr. Jackie Lebow asked how the awning issue would be addressed considering the building had already received historic designation from the State. Mr. Lee stated any exterior changes to the building, including awnings and doors, would be submitted to the State as part of a new application.

Mr. Lebow asked about the railing surrounding the outdoor seating area and how the City typically addressed the enclosure of an area in the public right-of-way. Mr. John

Dickinson explained that it was allowed as long as the railing was just bolted down and not permanent bolted down and an area between the railing and the awning was left open. He stated the awning would be free standing and in no way incorporated into the fence. Mr. Lee stated that, going forward, the applicant would be working out encroachment agreements with the City. He and acknowledged there would be 6 feet of sidewalk left open around the perimeter of the outdoor dining area.

Mr. Lee stated that, due to the change in occupancy, the applicant had spent nearly \$300,000.00 in order to bring the building into compliance with the 2015 Building Code. He stated that the Zales Building, like several other buildings in the downtown area, was a historical building and, as such, should be allowed some leniency in regard to the code. He expressed a hope that the Downtown Steering Committee would be able to come up with some creative ways to provide relief to the strict requirements placed on downtown business owners.

Mr. Jim Johnson asked the Landmark Commission's approval of this application would be contingent on THC's approval of the awnings. Mr. Lee explained that the awnings, as well as several other exterior changes, were not included in the current application and would be part of a separate application to the Landmark Commission.

Mr. Jackie Lebow made the motion to approve the application as presented. Mr. Barney Brock seconded the motion. The commission voted on the motion; motion passed unanimously.

**VII. Discussion and Action Item: Determination for Eligibility; National Register for Historic Places at 1100 Lamar known as The W.A Freear Furniture Company/Maskat Shrine Temple (Freear/Maskat Building).**

Mr. Prouty stated that Overland Property Group (OPG) was seeking designation to the National Register for the property located at 1100 Lamar Street, for which the intended use is housing. Mrs. Karen Gagné stated that it was up to the Landmark Commission's responsibility to determine whether the building is eligible to move forward in the National Register nomination process. The Commission's determination, along with a letter from the Mayor, would then go before the THC board in September.

Mr. Andy Lee stated that OPG had hired a historic preservation consultant to prepare the history of the building for presentation to THC. He stated the building was designed by Voelker & Dixon Architects and was originally built as a furniture company. He stated that OPG wanted to maintain the building and its historic integrity, while adapting to the new use. He stated they were proposing 30 housing units, with approximately 6,000 square feet of the ground floor to be used for retail.

Mrs. Michele Derr asked if the building could receive designation to the National Register regardless of whether it receives the Low Income Housing Tax Credit from TDHCA in July. Mrs. Gagné stated that the building could attain designation to the National Register regardless of the determination by TDHCA, but could not move forward with the State board of review until it had been addressed by the local preservation board.

Mrs. Gagné explained that the qualifying criteria for National Register designation included quality of significance in American history, architecture, engineering,

archaeology and culture present in the site or structure, as well as integrity of location, design, setting, materials and workmanship. She stated Voelker & Dixon were highly regarded architects in the State of Texas.

Mrs. Christy Graham stated that several historical buildings had been lost downtown due to deterioration, neglect, or fire. She stated that she felt it was important to preserve this building due to its architectural character.

Ms. Stacie Flood made the motion to approve the application as presented. Mrs. Michele Derr seconded the motion. The commission voted on the motion; motion passed unanimously.

- VIII. Discussion and Action Item: Expansion of Depot Square National Historic District.** Mrs. Karen Gagné stated the State was very interested in expanding the Depot Square Historic District, at least in regard to national designation, because it allows for more designations to be considered for tax credit program. She stated there were several options on how to expand the district, and several properties that could enjoy the protections of the National Register. She stated that one potential point of discussion would be how to address design review if the district were to be expanded through National Register designation.

Ms. Stacie Flood stated that, based on discussions at the Heritage Society, they would like to see an expansion of the district into the alley between Indiana and Scott Street, and then down to 10<sup>th</sup> Street. She stated there were a lot of historic buildings in that area, and there was a lot of interest in restoring them. She stated they would like to see the district expanded in these areas on a local level because this would provide greater protections.

Chairperson Lee stated that the state and federal tax credits available to new business owners in these areas was a great incentive for historic designation. Mrs. Michele Derr said she was concerned about the Value Village building going up for sale with the deteriorating structure located next door to it. Mr. Prouty mentioned that the building in question was an agenda item listed under new business.

Mrs. Christy Graham stated that when considering expanding Depot Square in the past, the 500 block of Indiana had been looked at as a possible area of expansion. She stated, at that time, some of the business owners in the area were not interested in joining the district. She stated there were buildings in this area that were worth saving, and asked if it were possible to offer to include those businesses that were interested in becoming part of the district, while excluding those who were not. Mrs. Gagné stated that it was written into the ordinance that those property owners who chose to opt out of the district could do so. Ms. Flood stated that when those properties that were not contributing were sold, they could then be brought in.

Ms. Flood stated it was important they look into what areas were interested in being included in order to gauge how far out the district could realistically be expanded. Mr. Jim Johnson asked what it would mean for property owners who did not want to participate in the district, and what the benefits were to those who did participate. Ms. Flood reiterated that those who chose to opt out, could do so. She explained that the

benefit to business owners would be the tax credits that would be available to them as a member of the historic district.

Mr. Prouty stated it may be a matter of providing more education to people in regard to what the tax credits can do for property owners on an individual level. Business owners may be unfamiliar with how the tax credits can help them with the costs of restoring and renovating their properties. He explained that there was some flexibility on the state and local level in regard to design review and that it was understood that certain compromises could be made and alternatives considered in order to insure that historic structures were maintained.

Mrs. Christy Graham suggested moving over to the alley between Indiana and Scott Street and expanding downward from 5<sup>th</sup> to 11<sup>th</sup> Street and sending letters to everyone in that area to see what who might be interested in participating. Ms. Flood recommended also having a meet and greet with these property owners and use the opportunity to explain the requirements and benefits that would come with being a part of the historic district. Mrs. Gagné explained that historical significance would have to be established for each of the properties included, and that there would have to be some level of interest from each of the owners. She stated that there may be several revisions to what is considered appropriate based on negotiations and determinations made by THC.

Mrs. Michele Derr asked what the requirement was for buy in from property owners. Mrs. Gagné stated there were requirements, but explained that if a property owner was opposed to being included it would not be pursued. Ms. Flood asked if there were benefits to seeking national and local designations simultaneously. Mrs. Gagné stated the requirements for locally designated properties were more strenuous than those for nationally designated properties, which could lead to some push-back if they were pursued simultaneously.

Chairperson Lee recommended putting together maps outlining the areas that everyone had suggested, as well as maps from previous meetings regarding expanding the district, and holding a public meeting to get feedback from the property owners included in those areas. Mrs. Graham recommended starting out that meeting by showing the video on historic preservation that had been used previously.

Ms. Stacie Flood made the motion to approve pursuing a Depot District expansion. Mrs. Michele Derr seconded the motion. The commission voted on the motion; motion passed unanimously.

#### **IX. Other Business:**

**a) Monthly report: Depot Square Historic District, West Floral Heights Historic District, Morningside Historic District**

Mrs. Michele Derr stated the mural had been placed at the Zales building and presented at the Art & Soul Festival.

Mr. Jim Johnson stated he had attended the West Floral Heights neighborhood meeting where it was arranged to have a neighborhood clean-up in preparation for the proposed pocket park.

**b) Design Review—Staff Authorized—Minor Alterations/Repairs:**

Mr. Matt Prouty reported on the seven staff authorized minor alterations/repairs:

- 1308 10<sup>th</sup> Street – Replace HVAC System – Ferguson Veresh, Inc.
- 1500 Grant – Masonry Repair and House Leveling – Mendoza House Leveling
- 1314 Buchanan – Carport – Permit Issued
- 1808 Elizabeth – Replace Roof With Same on Porte Cochere – Home RX
- 2715 9<sup>th</sup> Street – Replace Flat Roof With Same on Front Porch and Porte Cochere  
J. Menasco Roofing Co.
- 1705 Hayes – Replace Composition Roof With Same – Mataska Roofing
- 1106 Brook – Replace HVAC System – Ferguson Veresh, Inc.

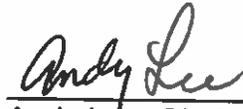
**c) Articles & Periodicals: CLG Replacement Window Review from Denver, Colorado: Window Assessment Evaluation Matrix; The Medallion – Spring 2017 Lone Star Legacy****X. New Business:**

- a) **713 Indiana/Section 106 Review** – Mrs. Gagné stated that Code Enforcement had the building at 713 Indiana on their list for potential demolition. Because it is considered a historic structure, they submitted the building to the State for Section 106 Review. Based on information received from Code Enforcement, THC determined the building ineligible for the National Register. Chairperson Lee expressed a hope that the Downtown Steering Committee would put together a maintenance code that could potentially clear the way for demolition of this building.

- b) **Next Mtg.** – Tuesday, August 22, at 12 pm

**XII. Adjourn:**

Meeting adjourned at 1:45 pm



Andy Lee, Chairperson



Date

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