

SECTION 5

Transcript of the
March 6, 2023
Landmark Commission
Hearing
2431 Park Row Avenue
CA223-240(RD)

TRANSCRIPTION OF AUDIO RECORDING

EXCERPTS FROM THE
CITY OF DALLAS
LANDMARK COMMISSION REGULAR MEETING
MARCH 6, 2023

TRANSCRIBED BY:

Tammy Pozzi, Texas CSR No. 5629

TRANSCRIPTION DATE: May 23, 2023

1 TRANSCRIPTIONIST/REPORTER'S NOTE:

2 Please note that this transcript may contain
3 inaccuracies due to the quality of the audio recording
4 and the interpretation of the transcriptionist. There
5 may also be speakers identified incorrectly due to lack
6 information available at the time of transcription and
7 voice misinterpretation of the transcriptionist.

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1 COMMISSIONER MONTGOMERY: Good afternoon,
2 everybody. This is the public meeting of the Landmark
3 Commission for Dallas. It is 1:08 on March 6th, and I'm
4 calling the meeting to order.

5 I am the chair of the commission, Evelyn
6 Montgomery, and our vice chair is Commissioner Courtney
7 Spellicy. And we will begin by having our beloved staff
8 member Elaine call our roll.

9 ELAINE HILL: District 2 Commissioner
10 Montgomery.

11 COMMISSIONER MONTGOMERY: Present.

12 ELAINE HILL: District 3 Commission --
13 Commissioner Falkeman.

14 COMMISSIONER FALKEMAN: Present.

15 ELAINE HILL: District 4 Commissioner
16 Swann.

17 COMMISSIONER SWANN: Present.

18 ELAINE HILL: District 5 Commissioner
19 Offutt.

20 COMMISSIONER OFFUTT: Present.

21 ELAINE HILL: District 6 Commissioner
22 Hinojosa.

23 COMMISSIONER HINOJOSA: Present.

24 ELAINE HILL: District 7 Commissioner
25 Livingston.

1 COMMISSIONER LIVINGSTON: Present.
2 ELAINE HILL: District 8 Commissioner
3 Spellicy.
4 District 10 Commissioner Hajdu.
5 COMMISSIONER HAJDU: Here.
6 ELAINE HILL: District 12 Commissioner
7 Rothenberger.
8 COMMISSIONER ROTHENBERGER: Present.
9 ELAINE HILL: District 13 Commissioner
10 Slade.
11 COMMISSIONER SLADE: Present.
12 ELAINE HILL: District 14 Commissioner
13 Guest.
14 COMMISSIONER GUEST: Present.
15 ELAINE HILL: District 15 Commissioner
16 Velvin.
17 COMMISSIONER VELVIN: Present.
18 ELAINE HILL: Commissioner Anderson.
19 COMMISSIONER ANDERSON: Present.
20 ELAINE HILL: Commissioner Taylor.
21 COMMISSIONER TAYLOR: Present.
22 ELAINE HILL: Commissioner Cummings.
23 COMMISSIONER CUMMINGS: Present.
24 ELAINE HILL: Thank you.
25 COMMISSIONER MONTGOMERY: Thank you,

1 Elaine.

2 And for the commissioners at home, the --
3 the state law does say you have to be on camera so we
4 make sure it's really you. I'm sure I could tell by
5 your voice, but we still need to see you.

6 And we -- first I must ask, do we have any
7 public speakers who are here to talk about the meet --
8 the minutes of our last meeting, not about the cases
9 today? And no one had registered for that purpose.

10 UNIDENTIFIED SPEAKER: Chairwoman --

11 COMMISSIONER MONTGOMERY: All right.

12 UNIDENTIFIED SPEAKER: -- can you see me?

13 COMMISSIONER MONTGOMERY: No, we can't.

14 We're just seeing your name.

15 UNIDENTIFIED SPEAKER: Oh, God.

16 COMMISSIONER MONTGOMERY: Perhaps someone
17 on high will help you to remedy this computer problem,
18 okay. We -- you can have a minute, you know. Well,
19 that really threw me off, okay.

20 All right. Before we move to reordering
21 our agenda and hearing our cases, I want to remind that
22 us that our -- our vice chair, Courtney Spellicy, is
23 going to be making sure we stick to our own rules, which
24 we sometimes ignore, about the number of times and --
25 that a commissioner may speak on each one and -- and how

1 long we're allowed to speak, so that we can have a
2 smoother and quicker meeting as we move through some
3 complicated cases today.

4 So we begin by asking if Commissioner
5 Spellicy has motions regarding our agenda.

6 COMMISSIONER SPELLICY: Before rearranging
7 the agenda, I'm going to go over the speakers that I
8 have. Currently we have those signed up, Ali Hatefi,
9 Yen Ong, Kay Zafar, James Ferrara, David Griffin,
10 Russell Peters, Noel Aveton, Rene Schmidt and Shawn
11 Walters.

12 If you are present and your name wasn't
13 called, you need to fill out a yellow slip and provide
14 that to Elaine in order for to us include you on
15 those -- the speakers. So with that in mind, then
16 (indiscernible).

17 commssioner hin: Excuse me, I'm sorry,
18 Commissioner, did we already vote on the minutes?

19 COMMISSIONER SPELLICY: No.

20 COMMISSIONER MONTGOMERY: We had been
21 doing that towards the end even though the agenda holds
22 it at the beginning. It makes no difference to me. Do
23 you want to go ahead and do that?

24 Let's just do it at the end. It's a nice
25 finish to the whole thing.

1 COMMISSIONER SPELLICY: So with that in
2 mind, I propose that we rearrange the agenda as follows:
3 First we'll take the discussion item 8 followed by
4 consent item 9. Then we'll do the courtesy review,
5 followed by discussion item 1, 3, 5, 6, discussion item
6 2, 4 and 7.

7 COMMISSIONER MONTGOMERY: And we note that
8 a council -- commissioner has requested that consent
9 item 9 be moved to our discussion area, so that's why
10 it's part of that (indiscernible).

11 So is there a second on this proposed
12 rearrangement?

13 COMMISSIONER ANDERSON: Second.

14 COMMISSIONER MONTGOMERY: Thank you,
15 Mr. Anderson.

16 Call for a vote.

17 All those in favor, please say aye.

18 (Ayes spoken simultaneously.)

19 COMMISSIONER MONTGOMERY: Any opposed?

20 Okay. We are -- we are just rearranged
21 and ready to move on to discussing our consent vote.

22 First let me ask if there's anybody here
23 to speak on a consent item who's here because they need
24 to give us additional information or make a presentation
25 rather than just answer questions, because we're about

1 to move forward with all the consent items unless we
2 need further knowledge on these items, so...

3 Okay, let's go.

4 COMMISSIONER SPELLICY: All right. I move
5 to approve consent items 1 through 8 and consent items
6 10 through 16.

7 UNIDENTIFIED SPEAKER: Second.

8 COMMISSIONER MONTGOMERY: Who was the
9 second?

10 Oh, okay, thank you.

11 And -- and so I'll call for vote on that.

12 All those in favor, please say aye.

13 (Ayes spoken simultaneously.)

14 COMMISSIONER MONTGOMERY: Any opposed?

15 All right. All of those consent items
16 excluding consent 9 have gone forward with staff
17 recommendations, and so if you were here to speak on
18 that, you're done. Congratulations.

19 Okay. So as we said, we're going to start
20 with discussion 8 because that's a quick one and we have
21 several people here who are interested in it, and it is
22 the initiation on Paulus street under landmark.

23 COMMISSIONER SPELLICY: I'm sorry, Madam
24 Chair, if I just may clarify?

25 The last motion was to approve consent

1 item C1 through C8 and C10 through C16, but our consent
2 agenda stops at C14. So just to clarify that, it's C10
3 through C14.

4 COMMISSIONER MONTGOMERY: Yes, that --
5 that is correct. All the consent items except C9 were
6 just voted on and -- however many of them there may be.

7 (REDACTED TEXT)

8 COMMISSIONER MONTGOMERY: All righty.
9 Next on our list is -- we are going to do consent item
10 number 9.

11 CHRISTINA MANKOWSKI: Christina Mankowski
12 for the Office of Historic Preservation. Consent item
13 number 9 -- oh, it's on. Can you hear me now?

14 COMMISSIONER MONTGOMERY: Okay.

15 CHRISTINA MANKOWSKI: Christina Mankowski,
16 Office of Historic Preservation. Consent item number 9,
17 2431 Park Row Aventura, the request is a Certificate of
18 Appropriateness to increase second floor plate from
19 eight feet to 10 feet.

20 Are we reading in staff recommendations?

21 COMMISSIONER MONTGOMERY: I think what
22 we've been trying to do is -- is abbreviated ones. You
23 don't have to read all the --

24 CHRISTINA MANKOWSKI: Okay.

25 COMMISSIONER MONTGOMERY: -- numbers and

1 stuff.

2 CHRISTINA MANKOWSKI: Staff is -- the
3 re -- that the request for Certificate of
4 Appropriateness -- Appropriateness to increase second
5 floor -- second-story floor plate from eight feet to
6 10 feet be approved in accordance with the drawings and
7 specifications dated 1/31/23.

8 COMMISSIONER MONTGOMERY: All right, thank
9 you.

10 There is no one signed up to speak on this
11 matter.

12 CHRISTINA MANKOWSKI: Okay. And I did try
13 to pull up previous plans, that particular page, and the
14 new ones, to show that it -- it's not -- it's the same
15 house. And they look pretty close to -- I'll try to
16 share it so that there is --

17 COMMISSIONER MONTGOMERY: All right. That
18 was a question that came up during our briefing on this
19 subject, so --

20 CHRISTINA MANKOWSKI: -- (indiscernible)
21 clarification.

22 COMMISSIONER MONTGOMERY: -- in the
23 absence of a speaker on it, it's kind of all up to us.
24 So let's give Ms. Mankowski a moment to --

25 CHRISTINA MANKOWSKI: Okay.

1 COMMISSIONER MONTGOMERY: -- pull up these
2 pictures --

3 CHRISTINA MANKOWSKI: (indiscernible) --

4 COMMISSIONER MONTGOMERY: -- that we may
5 view them.

6 CHRISTINA MANKOWSKI: That's as close as I
7 could get them to be together. So --

8 COMMISSIONER MONTGOMERY: That's pretty
9 good.

10 CHRISTINA MANKOWSKI: Yeah. The -- the
11 darker -- the one in the back, the darker one, those are
12 the previous plans. And the -- this one here, these are
13 the new plans, and the only difference is the 10-foot
14 will bring the total height to 33 feet 6-and-a-half
15 inches and the -- the total regula -- the -- the max for
16 this district is 36 feet.

17 So you can see that the plans in 2016 were
18 approved. They just hadn't financially gotten to do
19 them yet. And now that they can, you'll see a --
20 initially on the application they did have a garage
21 noted, but I told them to wait because they want to put
22 it on the vacant lot that they don't own yet. So I told
23 them to just wait on that.

24 COMMISSIONER MONTGOMERY: All right. With
25 these close together, it's easy to see that there have

1 been a few small other changes between them. Those
2 upstairs windows are not exactly the same anymore --

3 CHRISTINA MANKOWSKI: Right.

4 COMMISSIONER MONTGOMERY: -- nor is the
5 porch exactly the same. Maybe even some of the other
6 upstairs windows, so...

7 UNIDENTIFIED SPEAKER: I think this is
8 deceiving because they're -- the floor plate -- I mean
9 the -- you -- you match the roof up, but there's quite a
10 difference between the height. If you take down the --
11 if you bring the -- your rear elevation down to -- in
12 line with the -- it's impossible to do that?

13 CHRISTINA MANKOWSKI: I don't know. I --
14 I'm using two different PDFs and --

15 UNIDENTIFIED SPEAKER: If you can bring --
16 bring it up a little -- can you bring it up a little
17 more? Down -- oh, down.

18 CHRISTINA MANKOWSKI: Like this one?

19 UNIDENTIFIED SPEAKER: Up -- up -- up --

20 CHRISTINA MANKOWSKI: Oh, yes.

21 UNIDENTIFIED SPEAKER: -- I guess.

22 CHRISTINA MANKOWSKI: Yeah.

23 UNIDENTIFIED SPEAKER: (indiscernible)
24 trying to line the -- there we -- there we go.

25 CHRISTINA MANKOWSKI: I'm trying, but I

1 don't think they're zoomed in at the exact same --

2 UNIDENTIFIED SPEAKER: Well, I think you
3 can -- now we don't have the other --

4 CHRISTINA MANKOWSKI: Yeah, so --

5 UNIDENTIFIED SPEAKER: -- but there's a
6 huge difference in the roof (indiscernible) that I
7 didn't realize before.

8 CHRISTINA MANKOWSKI: Okay. All right.

9 UNIDENTIFIED SPEAKER: And I might add,
10 just because it says you can have 36 feet in height
11 doesn't mean this building automatically goes 36 feet in
12 height. It's got to fit the --

13 CHRISTINA MANKOWSKI: Right, right.

14 UNIDENTIFIED SPEAKER: -- the district.

15 CHRISTINA MANKOWSKI: That was just per
16 ordinance.

17 COMMISSIONER MONTGOMERY: Okay. So now
18 that we've looked at this, are there any other questions
19 that anybody else had that they want to add into our
20 discussion?

21 COMMISSIONER HINOJOSA: I have --

22 UNIDENTIFIED SPEAKER: (indiscernible) --

23 COMMISSIONER HINOJOSA: -- a question.

24 This is Commissioner Hinojosa.

25 COMMISSIONER MONTGOMERY: Go ahead.

1 COMMISSIONER HINOJOSA: You said that --
2 Christina, you said that the new elevation or roof
3 height is 33 inches. Are there other homes in the area
4 that are compatible to that height?

5 CHRISTINA MANKOWSKI: It was 33 feet,
6 six-and-a-half inches is the total --

7 COMMISSIONER HINOJOSA: Yeah, I'm sorry --

8 CHRISTINA MANKOWSKI: -- height and --

9 COMMISSIONER HINOJOSA: -- 33 feet,
10 uh-huh.

11 CHRISTINA MANKOWSKI: I do believe just
12 driving down and taking the pictures, I think there are
13 other two-story homes on that street. I don't know
14 their exact heights, but I know that there are -- I saw,
15 you know, a couple of two-story homes. Whether they're
16 contributing or not, I can't tell you. I'd have to look
17 at each.

18 COMMISSIONER HINOJOSA: Okay, thank you.

19 CHRISTINA MANKOWSKI: Yes, ma'am.

20 COMMISSIONER MONTGOMERY: I would like to
21 ask staff or our city attorney if we were to approve
22 this request today with the drawing they submitted and
23 the wording that was about raising the floor plate, are
24 we also approving those other subtle differences that I
25 see in the drawings? Any chance that --

1 CHRISTINA MANKOWSKI: No.

2 COMMISSIONER MONTGOMERY: -- that happens?

3 CHRISTINA MANKOWSKI: -- you would just be
4 approving what they're asking as depicted on the plans.
5 That's why I only put the --

6 COMMISSIONER MONTGOMERY: All right. Are
7 there any further questions, or does anybody want to
8 make a motion on the --

9 UNIDENTIFIED SPEAKER: The -- the iss --
10 let me bring -- the issue that I brought up earlier is
11 that this is a street of predominantly what's called a
12 California bungalow. They're brick bungalows, and the
13 roof forms are all very consistent. And popping one up
14 without exploring further how it has an adverse effect
15 on the rest of the block would be a -- a big -- big
16 mistake. So I'm ready to make a motion if anybody else
17 (indiscernible) make a motion.

18 COMMISSIONER MONTGOMERY: Go ahead,
19 Mr. Anderson.

20 COMMISSIONER ANDERSON: I'll make a couple
21 comments, but no.

22 COMMISSIONER MONTGOMERY: Do you want to
23 do it before or after the motion? This is time for
24 questions normally, but...

25 Okay. Well, let's make our motion, and

1 then we can discuss it.

2 UNIDENTIFIED SPEAKER: In -- in the fact
3 of CA223-240(CM), 2431 Park Row Avenue, I recommend
4 denial without prejudice. Raising the roof will have an
5 ad -- adverse effect on the district.

6 COMMISSIONER MONTGOMERY: Do we have a
7 second on this?

8 COMMISSIONER LIVINGSTON: Comment.

9 COMMISSIONER CUMMINGS: Second.

10 COMMISSIONER MONTGOMERY: Who was that I
11 heard online? Is that you Mr. Cummings?

12 COMMISSIONER CUMMINGS: Yes, ma'am.

13 COMMISSIONER MONTGOMERY: Okay,
14 Mr. Cummings has seconded.

15 All right, discussion. Commissioner
16 Livingston?

17 COMMISSIONER LIVINGSTON: Well, my -- my
18 discussion I guess is just going back on the drawing, to
19 understand, you know, with respect to commission that
20 approved that -- that set, I was trying to go through
21 the plans to see the big -- the big change from that.

22 So the two feet -- my -- my clarification
23 is just to understand the two feet is a height max of
24 the interior. That's what's being increased, correct,
25 and the roof line, going up two feet?

1 UNIDENTIFIED SPEAKER: (indiscernible).

2 COMMISSIONER LIVINGSTON: Correct, two
3 feet on the roof line.

4 So, you know, based on the proximity and
5 the way the design is laid out, that's a -- that being a
6 rear of the elevation, I -- I see it consistent with
7 some of the other di -- other properties in the
8 district, so the two feet to me is not inconsistent with
9 the district.

10 COMMISSIONER ANDERSON: What I would like
11 to see is a -- a bit of a street scape showing the
12 existing maybe three or four houses in a row and how
13 this one either fits or doesn't fit that -- that block
14 face or street scape.

15 UNIDENTIFIED SPEAKER: (indiscernible).

16 COMMISSIONER ANDERSON: I don't know
17 enough about -- this drawing doesn't tell me anything.
18 It doesn't tell me how it affects the street. Maybe two
19 feet -- raising the roof two feet is no big deal. It's
20 just -- first of all, it -- it was kind of disguised as
21 we're raising the floor plate. You can raise the floor
22 plate and not raise the roof, so actually when you're
23 raising the roof, it's -- it's a bigger deal than just
24 moving the internal ceiling and floor around.

25 I just feel more comfortable coming back

1 with more information.

2 COMMISSIONER LIVINGSTON: Again, so my
3 co -- again, my comment was, you know, just based on in
4 my opinion the blight of this property -- this property
5 has been sitting this way for, what, 15, 20 years? So
6 the two-foot -- again, the two-foot roof line increase
7 is minimal as far as a concern.

8 The other changes I do agree would need to
9 be closely looked at, spe -- particularly how that
10 garage/carport seemed to me being connected by a roof
11 line, but I didn't want to get into that.

12 But -- but as far as a two-feet increase,
13 I do think it's -- it's a minimal increase. I'm very
14 familiar with this -- with this -- with the other
15 properties in this street, in this district, and --
16 yeah, it's several two-story mansions, across the
17 street, next to it, on both sides. So the height, the
18 two feet, is not a big concern to me with the
19 architectural change.

20 COMMISSIONER MONTGOMERY: All right. Does
21 that mean, Commissioner Livingston, that you don't feel
22 inclined to support this motion?

23 COMMISSIONER LIVINGSTON: That is correct.

24 COMMISSIONER MONTGOMERY: Okay. Of course
25 if we were to support this motion, it gives the

1 applicant a chance to address both that question and
2 some of the other ones we've raised, like are they
3 really changing the porch, are they changing the
4 windows, because the changes do go beyond just an
5 internal thing, it turns out, so they'd have to come
6 back. So that is what we can consider.

7 Do we have any other comments before we
8 move to a vote?

9 COMMISSIONER OFFUTT: I have a comment,
10 Commissioner.

11 COMMISSIONER MONTGOMERY: Go ahead.

12 COMMISSIONER OFFUTT: Yes. I'll be
13 supporting this denial because I believe there is too
14 many gray areas. What's being shown, the changes being
15 shown, I question actually if the -- the dimension is
16 shown properly of the -- of the roof, and I think
17 changing two feet could have an adverse effect. And I'd
18 like to see -- excuse me (indiscernible) other things
19 going on.

20 I'd like to see a clean (indiscernible)
21 with just the changes that are being proposed without
22 other items on the -- on the proposed so there would
23 be -- there would be no gray areas of the -- so I think
24 the drawing needs to be cleaned up. I think the street
25 scape should be provided to make sure we -- we are

1 seeing this clearly.

2 When you start changing (indiscernible),
3 it -- it can -- it can get out of hand quickly, so I --
4 I will be supporting the denial on this until we get a
5 better drawing that isolates what -- what's really being
6 proposed.

7 COMMISSIONER MONTGOMERY: All right, thank
8 you. And it does give them another chance to -- to come
9 back.

10 Any other comments before the vote?

11 All right, then. Let's call for a vote.

12 All those in favor of this motion, please
13 say aye.

14 (Ayes spoken simultaneously.)

15 COMMISSIONER MONTGOMERY: All those
16 opposed to this motion?

17 UNIDENTIFIED SPEAKER: Opposed.

18 UNIDENTIFIED SPEAKER: Nay.

19 COMMISSIONER MONTGOMERY: Okay. Let's go
20 ahead and do the roll call vote, Elaine, just so we're
21 sure.

22 ELAINE HILL: (indiscernible).

23 UNIDENTIFIED SPEAKER: Aye.

24 ELAINE HILL: District 2 Commissioner
25 Montgomery.

1 COMMISSIONER MONTGOMERY: I voted yay.
2 ELAINE HILL: District 3 Commissioner
3 Falkeman.
4 District 4 Commissioner Swann.
5 COMMISSIONER SWANN: Yay.
6 ELAINE HILL: District 5 Commissioner
7 Offutt.
8 COMMISSIONER OFFUTT: No.
9 ELAINE HILL: District 6 Commissioner
10 Hinojosa.
11 COMMISSIONER HINOJOSA: Yay.
12 ELAINE HILL: District 7 Commissioner
13 Livingston.
14 COMMISSIONER LIVINGSTON: No.
15 ELAINE HILL: District 8 Commissioner
16 Spellicy.
17 District 10 Commissioner Hajdu.
18 COMMISSIONER HAJDU: Nay.
19 ELAINE HILL: Nay?
20 COMMISSIONER HAJDU: Yes.
21 ELAINE HILL: Thank you.
22 District 12 Commissioner Rothenberger.
23 COMMISSIONER ROTHENBERGER: Yes.
24 ELAINE HILL: District 13 Commissioner
25 Slade.

1 COMMISSIONER SLADE: Yes.

2 ELAINE HILL: District 14 Commissioner
3 Guest.

4 COMMISSIONER GUEST: Yes.

5 ELAINE HILL: District 15 Commissioner
6 Velvin.

7 COMMISSIONER VELVIN: Yes.

8 ELAINE HILL: Commissioner Anderson.

9 COMMISSIONER ANDERSON: Yes.

10 ELAINE HILL: Commissioner Taylor.

11 COMMISSIONER TAYLOR: Yes.

12 ELAINE HILL: Commissioner Cummings.

13 COMMISSIONER CUMMINGS: Yes.

14 ELAINE HILL: I have four nos.

15 COMMISSIONER MONTGOMERY: Okay. So the
16 motion has still carried, but of course what we're
17 hoping will happen is that the applicant will discuss it
18 with staff and staff will let them know what our real
19 concerns were. Please come back with the exact drawing
20 you want and let staff help them craft their request to
21 cover whatever is different in this new one since 2016.
22 They could have had a few new ideas since then, so --
23 and bring it back.

24 It's not that we don't want you to do the
25 house, and it's not that we're saying it's awful or

1 anything like that. Just -- we want to see the actual
2 drawing of what we're approving and discuss that height
3 thing. And that -- it would help to see the height in
4 context of other heights nearby to see how that works,
5 but hopefully they will ask staff and staff will help
6 them with that.

7 (REDACTED TEXT)

8 (End of recording.)

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1 REPORTER'S CERTIFICATE

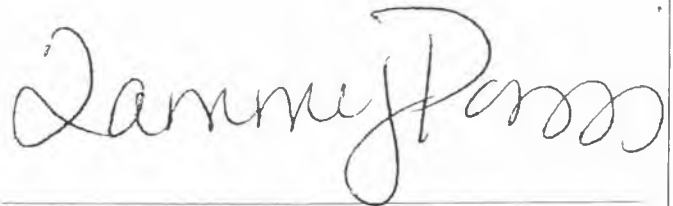
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3
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9 I further certify that I am neither counsel for,
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12 that I am not a relative or employee of any counsel
13 employed by the parties hereto or financially interested
14 in the action.

15 Certified to by me on this 24th day of May, 2023.

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