

LANDMARK COMMISSION MINUTES

March 26, 2024

MEMBERS PRESENT:

Michele Derr
Christy Graham
Andy Lee
Marcela Medellin
Janel Ponder Smith
John Dickinson
Michael Smith

■ Member
■ Vice-Chair
■ Member
■ Chairperson
■ Member
■ Member
■ Council Liaison

Monica Aguon, Assistant City Attorney
Terry Floyd, Development Services Director
Karen Montgomery-Gagné, Principal Planner/HPO

■ City Staff
■ City Staff
■ City Staff

ABSENT:

Joel Hartmangruber
Noros Martin

■ Member
■ P&Z Liaison

GUESTS:

Devin and Lindsey Tabor
Alejandro Rico
Robert (Barry) Hanks

■ 1600 Tilden St.
■ 2908 10th St.
■ 1615 Tilden St.

I. Call to Order, Introductions and Welcome

Chairperson Marcela Medellin called the meeting to order at 12:00 p.m. Ms. Medellin had Commission members, staff and guests introduce themselves.

II. Review & Approval of Minutes from: March 5th, 2024

Chairperson Medellin called for review and approval of the March 5, 2024 Landmark Commission meeting minutes. Ms. Christy Graham made a motion to approve the minutes as presented, Mr. John Dickinson seconded the motion. Minutes were unanimously approved 6-0.

Regular Agenda

III. Action Item: Design Review – 1600 Tilden

Replacement Roofing Using Alternate Materials:

- Original Ludowici tile roof removed – no permits or design review authorization
- Decra stone coated metal tile panels installed

Chairperson Medellín introduced the case. Ms. Montgomery-Gagné provided a design review history dating back to 2020 when an initial request regarding either full or partial replacement tile roof was processed. At that time, the Commission approved the original roof replacement in kind with smaller, mass produced Ludowici clay roofing tile for the entire roof surface. During the interim, staff checked with the owner regarding the roofing project and noted the design review approval would expire in August 2021.

By January 31, 2024, staff were notified Building Inspection had denied a roofing permit for alternate materials as no design approval on file. During this time frame, staff emailed the owner inquiring about potential roofing work after the Building Inspection notification. Staff explained to the owner a new design review application would be triggered and must be submitted and reviewed by the Commission before an alternate roof could be installed. Owner provided information on February 13, 2024 from a Decra Metal Roofing advisor obtained Aug. 16, 2023 regarding national register projects utilizing Decra stone-coated metal tiles. By February 29th owner submitted design review application for processing at the March meeting. Staff discovered the roof was previously installed during email/phone conversations with owner in late February. The roofing contractor (same since 2019 initial roof assessment; knew of historic district procedures) proceeded to install alternate roof materials void of permits and design authorization February 7-9.

Staff also provided a photo timeline of changes to the roof for comparison to better visualize the difference in materials and determine if the alternate material was appropriate when considering local and national standards (profile, design, texture, etc.) Ms. Montgomery-Gagné researched national register cases, particularly in Texas where the Decra materials were being utilized to replace clay/terracotta tiles. The Dr. Pepper Museum in 2022/23 received a National Endowment for the Arts grant to replace the 1990's composite roof as the original terra cotta tile roof was destroyed by a 1953 tornado. Texas Historical Commission (THC) State Historic Preservation Officer (SHPO) indicated 'no adverse effects' for the proposed placement of Decra stone-coated metal tile on the museum's roof with the goal of honoring the original style of terra cotta roof from the early 1900s. Staff commented, for this case at 1600 Tilden, partially based on precedent in Texas and THC prior approval in a similar scenario, the replacement roof material (Decra metal tiles) appeared sufficiently similar in design, color, texture and visual qualities that it may be considered to meet the CWF Design Guidelines and be in keeping with the Sec. of the Interior's Standards for Rehabilitation. However, it was clearly noted that the process by which the substitute roofing material was installed was deemed inappropriate by staff based on both the owner and roofing company having prior experience in 2020 with the City's design review process.

Discussion:

Owner, Mr. Taber, brought a sample of the Decra stone-coated metal tile panel used for the roof replacement for staff and Commission review. He noted the original estimate received from Precision Roofing was \$450,000 to replace the original tile roof with Ludowici handmade tiles. However, the home's value is approximately \$290,000. It would have cost \$200,000 to replace with Ludowici mass produced tile. Mr. & Mrs. Taber noted this has been a 3.5-4-year long battle with their insurance company to obtain approval and they finally settled for \$100,000 to replace the entire roof. Previous owners had

replaced some sections of tile with Ludowici mass produced tile and there were issues with water intrusion. They had also repainted the whole roof a different color than the original tile to reduce the unsightly appearance of the mix of replacement tiles.

Mr. Taber contacted representatives from the roofing company (Precision Roofing & Construction – North Richland Hills) and had worked with the same roofing company rep since 2019 through the original design review request for Ludowici replacement tile. The owner noted the roofing company said all approvals were in order so was very upset to discover they did not obtain any required approvals before starting the process of installation. He was also surprised that the permit had been denied.

The roof has since been installed as of Feb. 7-9 and it was not the exact same texture, and appearance. However, the owners tried to utilize alternate materials that were similar in order to replicate the tile and prevent continued water leaks into their house. Since installation there have been heavy rains in the area and Mr. Taber reported they no longer experience leaks in his home.

Ms. Ponder Smith asked if it would be easier to replace tiles with the Decra material and Mr. Taber confirmed that they were easier and less costly to replace and the roofing metal tiles are formed in sections that are now attached to the roof whereas before the terracotta tiles were all free floated.

Ms. Medellin asked how the situation resulted in the roof already being installed. Discussion ensued and Mr. Taber stated he was told all approvals were in place until he spoke with staff and discovered no permits and no inspections were obtained. Ms. Derr said it looked good and had been approved by THC in other areas of historical significance. It was important that the roof function properly to protect the historic house and its investment. She stated no issues with the alternate material. Chairperson Medellin commented that the alternate material (stone coated metal tile panels) appears to meet the intent of the standards but had concerns about setting a precedent with future applicants replacing a roof without seeking proper approvals. Ms. Graham commented that if THC had previously approved use of the same material on a national register property as an alternate to replicate the appearance of terra cotta tile it should be acceptable for a residential situation.

Public Comment: No one from the public requested to speak on this item.

Ms. Ponder Smith outlined concerns about how approval would be viewed with this situation as the public may have the impression it is okay not to seek approval prior to initiating roof replacement, particularly if alternate materials are involved. Legal liaison, Ms. Aguon, pointed out there were multiple issues associated with this case from civil (potential breach of contract) to code/policy violations linked to the Building Code and Historic Preservation Ordinance for work void of permits, no inspections to ensure proper installation to disregard of standard process for permitting and design review. Additional discussion among staff, Commissioners and the applicant until the Chairperson called for consideration of a motion.

Ms. Derr introduced a motion regarding the Decra stone coated metal tile roof, previously installed without prior authorization, as a substitute roofing material in place of the Ludowici terracotta tiles, noting it was considered sufficiently similar in design, color, texture and visual qualities that it may be considered to meet the local and national standards. The existing Decra stone coated metal tile roof can remain on the house at 1600 Tilden. Mr. Lee seconded. Motion passed unanimously in a vote of 6-0.

Staff indicated follow-up was required with the Building Inspection Department and citations may be pending.

IV. Action Item: Design Review – 2908 10th

Lapsed Design Review Case; Consider Extension:

- Metal/Wood Carport; Partially Constructed; No Building Permits
- Design Review Expired November 23, 2023

Chairperson Medellin introduced the case. Staff provided an overview noting the owner was unable to complete work on the carport due to family and financial circumstances. However, when the owner did initiate work, it was beyond the design review approval period (1 year) and without any building permits. A stop work order was issued by Building Inspection staff on March 4/24. Staff indicated the situation needed to be resolved by working with the owner to avoid continued complaints and reduce negative impacts to the district's architectural character. Staff outlined three options to potentially address the situation:

1. Require new design review application – start process over from beginning; carport may or may not be approved.
2. Consider case circumstances and owner request for an extension of the lapsed design review approval (4 months) in an effort to work with owner to address problem of unfinished accessory structure which sets a precedent and impacts the northern section of the district.
3. Commission opts to do nothing as allotted window of time/approvals have expired. Carport in violation as not completed, no building permit can be issued when out of compliance with CWF Design Review Guidelines. Citations may accrue and long-term result - carport removal.

Staff had considered Option #2 for an extension. However, legal interpretation of the Code of Ordinances Chapter 62 (Historic Preservation Ord.) did not provide an option for extension beyond 30-days of expiration.

The owner was present and provided additional background while answering questions from Commissioners. Mr. Lee asked if the front of the carport would still resemble the historic house above the fence line. Mr. Rico said the carport would still look like the house with metal framework under wood. The owner commented he was previously told a sheet metal roof was not allowed so he intended to use asphalt shingles instead and to try to make it look nice. Mr. Rico indicated the front of the carport facing 10th St. would look similar to the front façade of his house having wood panels, wood covered metal framework, and roof to match. The owner is trying to improve the property and would like to finish construction on the carport.

Legal department indicated too much time had lapsed since the design review expiration. The Commission could consider authorizing a new design review application to address the existing carport. Discussion ensued and there were concerns with addressing the partially constructed carport in a timely manner. Staff developed a draft resolution for Commission consideration setting a 30-day deadline for the owner to act with submitting a new design review application (Option #1). Ms. Aguon provided a legal point of order, noting a 30-day submission timeline avoids the owner accruing additional citations which could be accrued daily. This option essentially provides a set time line and a grace period for the owner to address outstanding issues. Ms. Derr asked if the Commission can adopt the draft resolution. Staff indicated, yes, if that's the Commission's preference.

Chairperson Medellín called for public comments; there were none.

Ms. Graham introduced a motion for a Resolution providing for a 30-day deadline (April 26, 2024) for the owner (Mr. Alejandro Rico) of 2908 10th Street to submit a new design review application for major alteration to the exterior of the property, namely, the construction of a carport that will be considered by the Landmark Commission. Ms. Derr seconded the motion. Motion and Resolution (Attachment 'A') passed unanimously in a vote of 6-0.

V. Action Item: Design Review – 1615 Tilden

Install New Wood Screen Door at Main Entry on Tilden Façade:

- Custom-made, period oak stained door
- Evidence of prior outer entry door

Chairperson Medellín introduced the case. Ms. Montgomery-Gagné explained the owner was seeking installation of a new custom wood (oak stained) screened door at the front entry to fit the existing opening (approximately 84¾"x40"). Photo evidence provided of prior screen door based on cut-outs for hinges in the framework and a removed strike plate. Staff recommended the proposal as it was in keeping with the CWF Design Review Guidelines; no original components would be altered or removed and it was returning a missing element from prior decades as closely as possible to fit the colonial style of the house.

The owner, Barry Hanks, was present and provided a detailed overview and reasoning for the request at his home on 1615 Tilden St. He moved into the home in 2000 and over the years found with the entry on the west façade the sun faded and aged the front door. He had searched for years for an appropriate replacement screen door that would protect the integrity of the original entry door. His neighbor had mentioned that Greg York who resides in the historic district could make a custom screen door. Mr. Hanks researched existing screen doors in the West Floral Heights historic district that were colonial, prairie and tudor styles and came up with three options (photos in meeting packet). Mr. Hanks discussed the concept with Mr. York who was confident he could build a screen door to suit his and the Commission's design requirements.

Ms. Ponder Smith inquired about the style and Mr. Hanks indicated the door would be similar to 1600 Grant (Tudor style) with large 1" grate screen on the bottom half along with a 14" wood kickboard. Ms. Derr asked if the kickboard would address the fading issue with the main door? Mr. Hanks indicated it would help plus the screen door would have auto closures so the wind wouldn't catch it.

Councilor Smith was curious about the estimated cost only being \$200-\$300. Mr. Hanks explained he'd only be paying for primary wood costs as he was gifting his unused wood-working tools as partial payment to his friend Mr. York. Mr. Hanks stated he no longer utilized the saws/equipment and it could be better served by someone else.

Ms. Graham introduced a motion to approve the installation of a new custom-made period oak (red-oak stained; polyurethane coated) screen door to the front entry of the house at 1615 Tilden Ave. Mr. Lee seconded the motion. Motion passed unanimously in a vote of 6-0.

VI. Other Business:

a) **Monthly Report:**

Depot Square Historic District: No report from Ms. Derr

West Floral Heights Historic District:

Ms. Ponder Smith noted the Association was having more productive meetings and people were inquiring about window repair workshops.

b) **Updates:** Staff indicated the Texas Historical Commission's Real Places conference and workshop would be April 3-5; discussed possible ideas for preservation month in May seeking input/suggestions from Commissioners.

c) **Resources/Webinars:** Recap – NAPC Webinar – NPS Substitute Materials – Updated Tech Brief #16; copies provided in packets for Commissioners to better understand appropriate/non-appropriate alternate materials.

d) **Design Review – Staff Authorized:**

- 1408 Buchanan (WFH HD) – sewer repair/replacement to residence
- 1605 Tilden (WFH HD) – replace roof – same materials
- 1608 Tilden (WFH HD) – foundation repair; install concrete piers
- 1608 Hayes (WFH HD) – replace roof – same materials
- 300 Morningside (NRHP District) - *Informational purposes only* replace cedar shake roof/decking

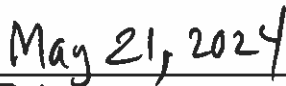
VII. Adjourn:

Next regularly scheduled meeting April 30, 2024 – 12 p.m.

Meeting adjourned at 1:32 p.m.



Ms. Marcela Medellin, Chairperson



Date

Attachment 'A'

Landmark Commission Resolution

Resolution providing for a 30-day deadline for the property owner at 2908 10th Street, Wichita Falls, Texas 76309, to submit an application for major alteration to the exterior of the property, namely, construction of a carport;

WHEREAS, the property owner at 2908 10th Street, Wichita Falls, Texas 76309, previously submitted an application for major alteration of the exterior of 2908 10th Street, which would constitute new construction or placement on the historic property;

WHEREAS, the design review application of the property owner at 2908 10th Street, Wichita Falls, Texas 76309, was approved in writing on November 22, 2022;

WHEREAS, the design review application approved on November 22, 2022, expired within twelve (12) months from the issuance of the certificate of appropriateness, and the property owner at 2908 10th Street, Wichita Falls, Texas 76309, did not apply for renewal of the application within thirty (30) days of its expiration;

WHEREAS, the materials installed and/or in the process of being installed for the carport at 2908 10th Street, Wichita Falls, Texas 76309, have not been deemed to conform to the City of Wichita Falls Design Review Guidelines and the Secretary of the Interior Standards for Rehabilitation and approved by the Landmark Commission;

WHEREAS, Landmark Commission wishes to pursue compliance with the City of Wichita Falls Design Review Guidelines and Secretary of the Interior Standards for Rehabilitation; and or

NOW, THEREFORE, BE IT RESOLVED BY THE LANDMARK COMMISSION OF THE CITY OF WICHITA FALLS, TEXAS, THAT:

The Landmark Commission hereby requires the property owner at 2908 10th Street, Wichita Falls, Texas 76309, submit a new design review application, in compliance with the City of Wichita Falls Design Review Guidelines and Secretary of the Interior Standards for Rehabilitation on or before thirty (30) days from the date of this resolution, and this case is to be returned to the Landmark Commission for review thereafter.

PASSED AND APPROVED this, the 26 day of March, 2024.


CHAIRPERSON

ATTEST:


Karen Montgomery-Gagné
City of Wichita Falls Landmark Commission Liaison