

Downtown Historic Preservation Task Force Meeting Minutes

January 21, 2015

8:30 AM

South Side on Lamar Leasing Office Conference Room
1409 South Lamar St.
Dallas TX, 75215

Task Force Members Present:

Jack Matthews, Matthews Southwest; Mitch Paradise, Paradise Development Partners; Connie Cooper, Cooper Consulting; David Preziosi, Preservation Dallas; Bryan Keith, JHP Architecture/Urban Design; Brian Adams, Callison; Larry Hamilton, Hamilton Properties; Scott Remphrey, Brytar; Todd Watson, Hunt Consolidated; Robert Meckfessel, DSGN; Katherine D. Seale, Task Force Chair

Task Force Members Absent:

none

City Staff Present:

Neva Dean, Interim Assistant Director, Sustainable Development and Construction - Current Planning; Mark Doty, Sr. Historic Preservation Planner; Casey Burgess, City Attorney; Tammy Palomino, City Attorney

Katherine Seale called the meeting to order at 8:39 am with a quorum present.

Task Force Purpose/Overview – Katherine Seale

Katherine described the genesis of the Task Force, which was established by Mayor Rawlings and Councilmember Kingston. The purpose of the Task Force is to prioritize preservation efforts in the core of Downtown Dallas without discouraging development and growth. Described how the Task Force will look at the City's existing program and its origins, as well as tools that other cities use to achieve a balance of historic preservation and development.

The Task Force agreed to meet on Wednesday mornings for the next six weeks from 8:30 am to 10:00 am.

Overview of Current City of Dallas Historic Preservation Program – Mark Doty

Mark presented a summary of the City of Dallas Landmarks within the Downtown Loop, and noted the Downtown and Harwood Street National Register districts. Discussed the historic preservation enabling ordinance, which is part of the City Development Code. Noted that there are currently 145 historic districts in the City, containing over 4,000 individual structures and approximately 20 neighborhoods, not including Conservation Districts.

Mark informed the Task Force that in 1975 a survey of historic buildings in Dallas was performed, and used a tiered system to identify buildings worthy of local landmark designation. Approximately 39

buildings were identified as needing protection. A Preservation Plan was developed in 1976, which outlined how the city should move forward with the program. The Preservation Plan was updated in 1981 and again in 1987, but has not been updated since then.

Mark reviewed how structures are designated as City of Dallas landmarks, and noted that the designation is a zoning overlay. Once designated, owners must file for approval with the city for certain actions related to the landmarked property, and obtain the required approvals either from staff or landmark commission. This includes Routine Maintenance, which requires staff approval only; Certificate of Appropriateness, which is used to review alterations, additions, and certain types of maintenance; a Certificate of Demolition, used when an owner wishes to demolish a landmark; and a non-binding Courtesy Review Form.

Jack Matthews asked how many buildings in Downtown are listed in the National Register of Historic Places, but are not City landmarks, and why wouldn't there be local designation for those buildings. Mark explained the difference between local and National Register designation, noting that National Register designation is primarily honorary, except when federal tax money or oversight is used for the project, or when the Federal Tax Credit Program is utilized. He further explained how the Downtown National Register District has been used as an economic development tool through its role in the use of tax credits.

Katherine stated that other cities look at National Register districts as part of the local preservation program. The possibilities and drawbacks of how local designation can be extended to National Register properties were introduced. Larry Hamilton noted that the National Register designation and Federal Tax Credit program process was already arduous and that to then have to go through local designation to obtain the preservation zoning overlay could be an impediment.

Tammy Palomino explained that while National Register listed buildings could be locally designated, they would have to go through the current process. There would have to be preservation criteria for the structures, as well as Landmark Commission, City Plan Commission, and City Council review and public hearings.

Mark further described the enabling ordinance establishing the Landmark Commission, and discussed the role of the commission. He then reviewed the process for Landmark Designation.

Katherine noted that the historic preservation program was started in the 1970s as an economic development tool for urban renewal.

Connie Cooper asked what the fees are for local designation. Mark responded that the fees are the same as other zoning changes: fees are based on the square footage, and start at \$1000.00. The City Council, City Plan Commission, or Landmark Commission can authorize a hearing to consider city landmark designation, and waive the fee. Katherine added that council or commission authorized hearings for local landmarks are rare.

The discussion returned to the relationship between National Register listing and local designation. Katherine noted that some states have a demolition moratorium on National Register listed buildings. Mark noted that as the current ordinance is written, the city has no purview over National Register listed buildings that are not locally designated. Bryan Keith asked about using a 30-day demolition

moratorium as a tool. This could give time for the Landmark Commission or City Plan Commission to review a proposed demolition, and determine if the property is eligible for the landmark designation process.

David Preziosi noted that there is currently a ten-day demolition delay for buildings in Downtown. Mark explained that if a demolition permit is requested for a building, a number of departments within the City are notified, including the Historic Preservation department. The delay is simply a notification, however, and the City has no mechanism to stop the demolition of a building that is not locally designated.

Connie asked if a PDF map showing the National Register listed buildings in the Downtown loop versus the locally designated buildings existed. Suggested that the City conduct a query of GIS data to determine the construction date of buildings to determine what percentage of the buildings could be at risk and develop an inventory of buildings. Mark will investigate producing the data.

Bob Meckfessel noted that because the Preservation Plan has not been updated since 1987, there are numerous buildings over 50 years old that have not been evaluated for significance.

Overview of Economic Incentives in City Development Code – Mark Doty

Mark reviewed the City's Historic Preservation Tax Abatement program, and described the types of exemptions and required expenditures to obtain incentives. It was noted that the tax abatements are not generally used in conjunction with Tax Increment Finance money; a property owner must typically choose between the two. The policy was not always as such. Most developers take the TIF option since it is larger than the abatement. Larry Hamilton pointed out this effectively means that National Register listed buildings do not benefit from obtaining local designation. Scott Remphrey stated that the City recently approved both TIF money and the preservation tax abatement for his project since the Downtown TIF District is so low at the moment. The current tax abatement program sunsets this year.

Overview of Texas Open Meetings Act – Casey Burgess

Reviewed the Texas Open Meetings Act, and noted particular situations that the Task Force should be aware of. This includes a minimum of 72 hours prior to a meeting for posting the agenda, and avoiding a "walking quorum."

The meeting was adjourned at 10:02 am.

Minutes by Nicky DeFreece Emery