

Memorandum



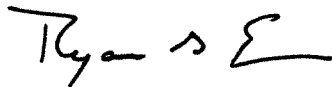
Date: August 1, 2008

To: City Council Public Safety Committee:
Dr. Elba Garcia (Chair), Dwaine R. Caraway (Vice-Chair), Jerry R. Allen, Tennell Atkins, Sheffie Kadane, Mitchell Rasansky, Ron Natinsky, David A. Neumann

Subject: Certificates for Demolition or Removal in Historic Districts

Included on the Public Safety Council Committee agenda for June 2, 2008 is a briefing on the proposed changes to Article 51A-4.501 of the Dallas Development Code related to Certificates of Demolition or Removal of buildings in historic districts.

If you need further information please call Theresa O'Donnell at 214-671-9293.



Ryan S. Evans
Assistant City Manager

- c: The Honorable Mayor and Members of the City Council
 - Mary K. Suhm, City Manager
 - Thomas Perkins, City Attorney
 - Deborah Watkins, City Secretary
 - Craig Kinton, City Auditor
 - Judge Jay Robinson, Judiciary
 - Ryan S. Evans, First Assistant City Manager
 - Jill A. Jordan, P.E., Assistant City Manager
 - Ramon F. Miguez, P.E., Assistant City Manager
 - David O. Brown, Interim Assistant City Manager
 - David Cook, Chief Financial Officer
 - Theresa O'Donnell, Director of Development Services
 - Jeanne Chipperfield, Interim Budget Director, Office of Financial Services
 - Helena Stevens-Thompson, Assistant to the City Manager



Certificates for Demolition or Removal

Public Safety Committee Briefing
August 4, 2008





Findings & Purpose


- Demolition or removal of a historic structure constitutes an irreplaceable loss to the quality and character of the city; however, there are instances when a historic building is too far gone to save and it creates a threat to the health and safety of the neighborhood.





Certificate of Demolition

- Currently demolition can *only* be approved on the basis of one of the follow reasons:
 - To replace the structure with a new structure that is more appropriate to the district.
 - No economically viable use of the property.
 - Noncontributing to the historic district.
 - *Imminent threat to public health or safety.*



When Demolition is
based on an Imminent
Threat to Public Health
and Safety



Threat to Public Health or Safety

- A Certificate for Demolition from the LMC based on an Imminent Threat to Health or Safety currently must include:
 - Records depicting the current condition of the structure.
 - A study regarding the nature, imminence, and severity of the threat performed by an architect or engineer.
 - A study regarding cost and feasibility of restoration performed by an architect or engineer.
 - These studies average +/- \$10K per property and are borne by the owner or the City

Current Process

- Generally, Code Refers an Imminent Threat property to CAO when owner fails to take action
- CAO usually files petition in Municipal Court or asks Fire Marshall to certify the Imminent Threat
- If judge Issues Demolition Order, or Fire Marshall certifies the Imminent Threat; then,
- CAO applies for a Certificate of Demolition from the LMC;
- LMC approves/denies the application





Proposed Change to the Standard for Approval

- Code Refers an Imminent Threat Property to the CAO when the owner fails to take action
- When the CAO obtains a court order or Fire Marshall certification, then;
- **NO CERTIFICATE OF DEMOLITION IS REQUIRED FROM THE LMC**
- PWT may proceed with demolition to remedy the threat and remove the blight from the neighborhood



Benefits of this Change

- Speeds up the process for eliminating burned out/ collapsed structures
- Provides adequate review of the need to demolish historic properties
- Improves the quality of life and public health and safety in our neighborhoods

QUESTIONS?



