

Memorandum




DATE May 29, 2015

TO Honorable Mayor and Members of the City Council

SUBJECT Downtown Dallas Historic Preservation Task Force Report of Findings and Recommendations

On Wednesday, June 3, 2015, you will be briefed on the Downtown Dallas Historic Preservation Task Force Report of Findings and Recommendations. The briefing materials are attached for your review.

If you have any questions, please let me know.



Ryan S. Evans
First Assistant City Manager

c: A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

DOWNTOWN DALLAS

HISTORIC PRESERVATION TASK FORCE

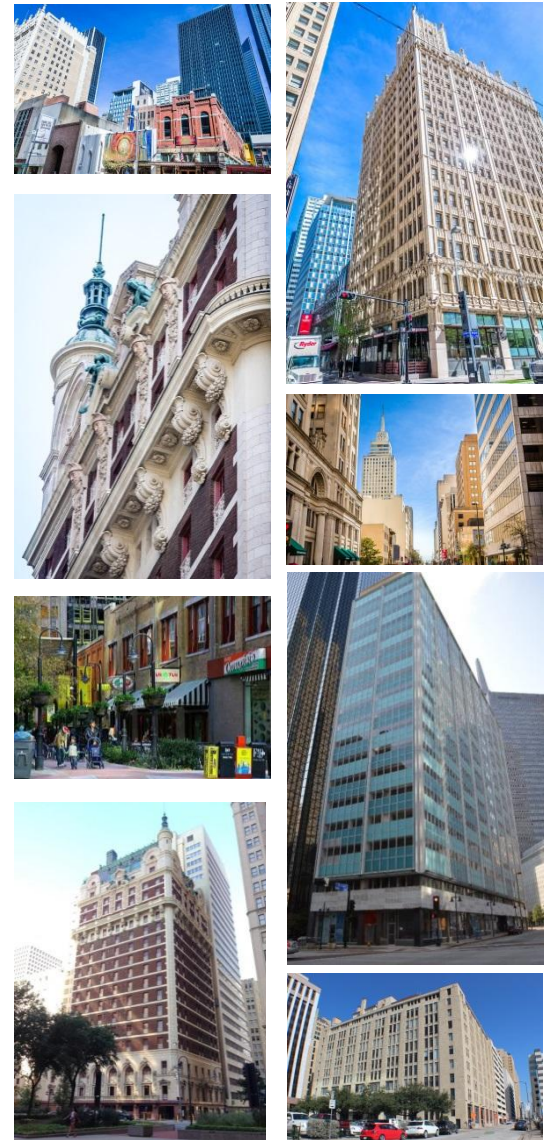
Report of Findings and Recommendations

City Council Briefing
June 3, 2015



“Historic Preservation creates profits and economic development for Dallas. It is our competitive advantage. We have a resource, and we’re going to lose it. We don’t want to squander what we already have. It is unique to Downtown.”

– Downtown Historic Preservation Task Force



Impact of the City's Historic Preservation Program

- 140+ local historic districts with 4000+ individual structures
- \$672.8 million in investment in Dallas Downtown National Register District since 2006
- Reinvestment in East Dallas in neighborhoods like Swiss Avenue and Munger Place = tax base expansion
- Kickstart of Uptown through reinvestment in State-Thomas Historic District
- Program has been a model for the nation.



1400 Block of Commerce Street; Thomas Garza Photography, courtesy of Downtown Dallas, Inc.

Task Force Methodology

- Review of Dallas's Historic Preservation Program
 - Framework of program as it originally conceived
 - Used as **planning tool** to serve larger goals of city:
 - revitalize decreasing property values
 - establish viable activity
 - management of re-development in the context of rising property values (development pressure)
 - preserve/restore patterns of activity
 - create a context/fabric for desired change
 - Served as **advocate** for city-wide improvement
 - Fully integrated into other city planning functions: urban design and long-range planning



Stone Street, courtesy of Downtown Dallas, Inc

Task Force Methodology

Study of best practices nationwide

- Successful programs utilize:
 - preservation and development serve each other
 - partnerships between historic preservation, planning, economic development, etc.

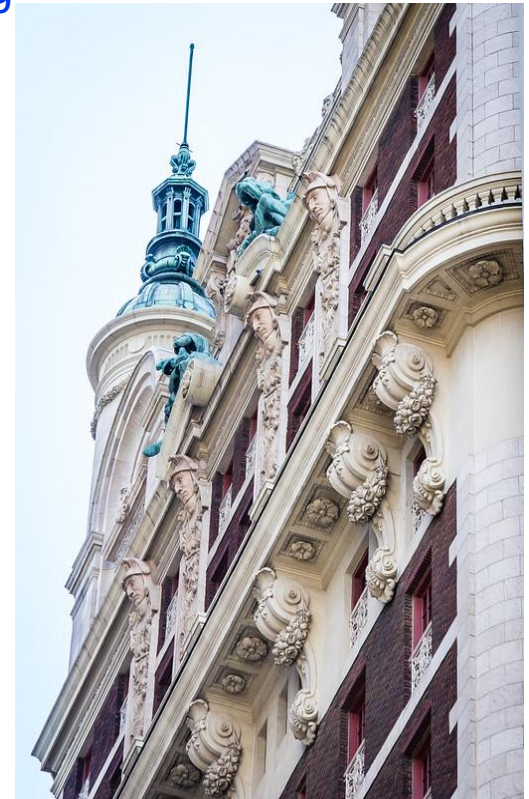


Thanksgiving Square vicinity, courtesy of Downtown Dallas, Inc

Task Force Methodology

How Dallas's Historic Preservation Program works today:

- Preservation Program subject to budget/staff cuts, restructuring
- Focus on designation/regulation instead of planning and future development
- Preservation and development perceived as opposing goals
- 60% of buildings in Dallas Downtown National Register Historic District not protected



Adolphus Hotel; Thomas Garza Photography, courtesy of Downtown Dallas, Inc



Dallas Downtown National Register District (outlined in blue), City of Dallas Landmark Districts (outlined in yellow), extant buildings contributing to the National Register District (green) and buildings contributing to the National Register District that have been demolished (red). Courtesy of the City of Dallas.

Task Force Observations



Storefronts, streets, sidewalks, awnings, landscape, and variety in scale: the historic and authentic urban fabric of Main Street. Thomas Garza Photography, courtesy of Downtown Dallas, Inc

- Maintain property rights
- Advocacy role diminished
- Historic Fabric not always considered when City plans improvements
- Preservation must be considered during public projects
- Lengthy designation application process
- Out-of-date surveys and preservation plan
- Program information not easily accessible
- Stakeholder/public education needs improvement
- Incentives must be creative; have more benefits than restrictions
- Dallas has a competitive advantage of authentic historic fabric
- “We can’t squander our unique resources.” –Task Force Member

Task Force Vision for the Historic Preservation Program (the North Star)

“There must be a major shift in how Dallas views historic preservation. Instead of viewing preservation and development as opposing goals, they must be seen as the same goal – to create a Downtown that embraces its historic past while being a culturally, socially, and economically diverse center of activity for the City.”



Downtown's exciting mix of old and new. Thomas Garza Photography, courtesy of Downtown Dallas, Inc.

Goal of Recommendations



The Kirby Building. Thomas Garza Photography, courtesy of Downtown Dallas, Inc.

- Phased approach to shift Preservation Program from perceived hindrance to a position of influencing change
- Benefit all Downtown stakeholders
- Overcome challenges to the mutual benefits of historic preservation and development
- Support must come from leadership in the City of Dallas and the stakeholder community

Summary of Recommendations:

Phase 1: Immediate Solutions (0-12 months)

1. ***Advocacy:*** Establish Preservation Solutions Committee to assist in implementation of the recommendations.

2. ***Simplify Designation:*** Streamline the landmark designation process.

Landmark Designations can take as much as 12- 15 months. The application is burdensome for most applicants. Staff reductions have contributed to the lengthy process.

- Review the application and process to ensure it is effective and not an impediment to landmark designation;
- Consider streamlined process that incorporates deadlines for Designation Committee and Staff review;
- Explore expedited approval for City Landmark applications when the building or resource is contributing to the National Register of Historic Places.

Summary of Recommendations:

Phase 1: Immediate Solutions (0-12 months)

3. Assess Staffing: Broaden staff capabilities and review staff priorities to foster efficiency.

- Existing staff positions could be re-allocated to focus on public education and new planning initiatives;
- Move the Preservation Tax Abatement to Office of Economic Development to consolidate all tax abatements in one spot;
- Identify ways to expedite landmark designations, file certificates of appropriateness, field inquiries from the public.

Summary of Recommendations:

Phase 1: Immediate Solutions (0-12 months)

4. Demolition Delay: Evaluate time limits for demolition review periods for historic buildings.

“Preservation of historic resources should be given at least the same consideration of streets and sewers, and treated as important infrastructure.”

- Increase staff review from 10 days to 30 days with a possible extension of 90 days not to exceed 120 days for buildings and resources over 50 years old within Greater Downtown.
- Notice of the demolition would be posted on the building in the same manner as zoning changes.
- If within 30 day review period, no concerns regarding the historic or cultural significance are presented, the permit for demolition would be granted.
- If concerns are presented, the applicant would be notified and the review period extended another 90 days for a total of 120 days.
- The extended review gives staff and the owner time to consider alternatives to demolition.

Greater Downtown Dallas



Greater Downtown Dallas. Courtesy of Downtown Dallas, Inc.

Summary of Recommendations:

Phase 2: Near Term Solutions (1 to 3 years)

5. Education: Increase Educational Initiatives within the Historic Preservation Program.

- Education is of primary importance to the Program;
- The Program's Goals and its accomplishments need to be communicated to the public;
- The visibility of the Program should be elevated;
- Staff outreach provides opportunity for public input and keeps the constituency engaged.

Summary of Recommendations:

Phase 2: Near Term Solutions (1 to 3 years)

6. *Downtown Survey:* Conduct a new Historic Resources Survey for Downtown Dallas.

- The City's last Downtown Survey dates to the mid-1990s.
- Surveys help establish priorities, and become a tool for existing and future planning.
- State of the art technology provides opportunity to capture the larger street fabric.
- Funding possibilities include Certified Local Government grants and local private foundations.

Summary of Recommendations:

Phase 2: Near Term Solutions (1 to 3 years)

7. Incentives: Identify additional strategies that will re-animate older buildings that are otherwise vacant, underutilized, and threatened with demolition.

- Strategies should be focused to address market conditions;
- Incentives should not be a “one-size-fits-all” approach;
- Identify barriers to re-development such as more flexibility in preservation criteria, parking requirements, permitting, and code requirements.

Summary of Recommendations:

Phase 3: Long Term Solutions (3 to 5 years)

8. *Preservation Plan:* Prepare and adopt a new Preservation Plan for Dallas.

- The City's existing plan, Historic Preservation Plan 1987-1988, was adopted by Dallas City Council in 1988.
- An Updated Preservation Plan is needed to address the historic fabric of the entire city as well as the Historic Preservation Program and its policies.
- Funding possibilities include grants such as Certified Local Government grants and local private foundations.

Summary of Recommendations:

Phase 3: Long Term Solutions (3 to 5 years)

9. Planning: Create interdepartmental forum to shift the focus of the Historic Preservation Program from regulation to influence by including planning as a main activity.

Historic Preservation should be used as a planning tool, and planning should be its main activity.

- Historic Resources must be considered when a common interest is being pursued such as the allocation of Tax Increment Financing funds, land use/zoning, certain aspects of Economic Development.
- New partnerships are needed so that preservation may influence existing and future planning efforts.
- Partners might include: Current Planning, City Design Studio, Economic Development, Public Works, Streets, Parks and Recreation, Code Enforcement, City Attorney's Office.

“Dallas’s historic buildings and streetscapes create unique economic development opportunities within Downtown. They are our business community’s heritage – where Dallas began as the region’s economic engine. They represent the ‘main streets’ of our commercial corridors. They are Downtown’s competitive advantage. But these historic resources are gradually disappearing and without creative intervention, they will be lost.”

–Downtown Historic Preservation Task Force



The Streetscape of Downtown Dallas. Thomas Garza Photography, courtesy of Downtown Dallas, Inc.

Staff Response

Staff is generally supportive of the Task Force recommendations:

- Requested two new positions in FY15-16 budget - one Chief Planner and one additional Planner
- Staff will work with the Preservation community to identify funding sources for the Downtown survey and the Preservation Plan
- Identify codes and policies that may need to be amended depending on which incentives are pursued
- Staff will work with the Landmark Commission's Designation Committee to streamline the documents required as part of the designation process

Staff Response

- Two of the Task Force recommendations could have alternative solutions to achieve the same goals:
 - Preservation Solutions Committee
 - Demolition Delay

Preservation Solutions Committee

- Staff believes there are advantages to using existing committee structures for the recommended Preservation Solutions Committee that would provide the necessary resources for the committee.
- Staff has discussed two alternatives:
 - Committee of Landmark Commission
 - Made up of a subset of Landmark Commissioners and citizens (non-Commissioners)
 - Model after City Plan Commission's Zoning Ordinance Committee
 - Establish the PSC as an ad hoc committee initially
 - Nominated by the Chair of the Landmark Commission & approved by the full Landmark Commission
 - Work with Landmark Commission and staff to ensure implementation of the recommendations
 - Amend Landmark Commission's rules of procedure to list the PSC as a standing committee, if warranted
 - Continuation of the current Task Force
 - Continue current membership
 - As vacancies occur, replacements made by the Chair of the Landmark Commission and City Manager's Office
 - Work with staff to ensure implementation of the recommendations

Preservation Solutions Committee

- Preservation Solutions Committee (PSC)
 - Identify responsibilities of the PSC
 - Facilitate implementation of the recommendations of the Task Force
 - Make recommendations regarding incentives
 - Other responsibilities to be identified
 - Identify specific interests to be represented on the PSC
 - Representatives from:
 - organization which supports historic preservation
 - organization which supports downtown Dallas
 - Property owners
 - Developers
 - Professional organizations (AIA, APA, etc.)
 - Others to be identified

Demolition Delay Proposal

- Demolition Delay Proposal:
 - Demolition delays in other Texas cities have rarely resulted in buildings being preserved.
 - Ultimately, a demolition permit must be issued if it complies with city codes in affect when the permit application is submitted.
- After review of other cities demolition delay ordinances and applicable law, Historic Preservation Staff and CAO have determined that a demolition delay provision would be most appropriate in Chapter 51A as a demolition delay overlay.
- Staff alternatives to Task Force recommendation provides flexibility in working with property owners.

Demolition Delay Recommendation

Create a Demolition Delay Overlay

- Amend Chapter 51A to create overlay on the Greater Downtown Dallas area used by Dallas Downtown, Inc. or just the CBD
 - Create authority and authorize a hearing establish the demolition delay overlay
 - Council directs staff to create authority
 - CPC or Council authorize a hearing to consider the Overlay
 - Landmark Commission public hearing and recommendation
 - City Plan Commission public hearing and recommendation
 - City Council public hearing and recommendation
- Apply to buildings or structures
 1. At least 50 years old, and
 2. Meeting one of the following criteria
 - Located in a National Register District or individually listed
 - Recorded Texas Historic Landmark
 - State Antiquities Landmark
 - National Historic Landmark
 - National Register District eligible property identified in a future Historic Buildings Survey *

*ordinance would need to be amended when the survey is completed

Demolition Delay Recommendation

Create a Demolition Delay Overlay

- Phases process

1. Phase 1 - Historic Preservation Officer (HPO), within 10 days of receive of application, reviews to determine if the property meets the delay criteria.
2. Phase 2 - If it meets the delay criteria, within 30 days, HPO meets with owner to discuss alternatives to demolition
3. Phase 3 - HPO and property owner may agree in writing to extend time period to continue to work on alternatives.

Demolition Delay Recommendation

(additional detail)

Create a Demolition Delay Overlay

– Phases process

1. Property Owner submits demolition application to Building Inspection
2. Building Inspection notifies Historic Preservation Officer (HPO) that demolition application has been submitted.
3. Within 10 days, HPO reviews/determines if property meets the criteria. (Phase 1)
4. If the property does not meet the delay criteria, HPO notifies BI, demolition permit is issued.
5. If the property meets the delay criteria, HPO meets with owner to discuss alternatives to demolition (Phase 2 – 30 day delay)
 - List properties in Phase 2 on the City's webpage
 - Invite interested organizations to the meeting (Dallas Downtown, Inc., Preservation Dallas)
 - Include appropriate City departments
6. If no alternatives are found after 30 days, HPO notifies BI to issue demolition permit.
7. If the property owner is interested in investigating alternatives to demolition, HPO and property owner agree in writing to extend the time period to continue to work on alternatives. (Phase 3 – no set time period)
8. If other alternatives are not agreed upon during this extended time period, HPO notifies BI to issue demolition permit at the end of the time period.

Addendum

Downtown Historic Preservation Task Force

Katherine D. Seale
Task Force Chair, Landmark Commission Chair

Brian Adams
Callison Commercial Architecture Group

Connie Cooper, FAICP
Cooper Consulting Company
Rep., American Planning Assn., TX Chapter

Larry Hamilton
Hamilton Properties Corporation

W. Brian Keith; AIA, AICP, LEED® AP
JHP Architecture/Urban Design
Rep., Greater Dallas Planning Council

Jack Matthews
Matthews Southwest
Rep., Downtown Dallas, Inc.

View of West End Historic District
Robert Meckfessel, FAIA DSGN Associates
Rep., American Institute of Architects, Dallas Chapter

Mitch Paradise
Paradise Development Partners
Rep., The Real Estate Council

David Preziosi, AICP
Preservation Dallas

Scott Remphrey
Brytar Companies

Todd Watson
Hunt Consolidated



View of West End Historic District

Addendum

Dallas City Staff

David Cossum, Director
Sustainable Development and Construction

Neva Dean, Interim Assistant Director
Sustainable Development and Construction - Current Planning

Mark Doty
Sr. Historic Preservation Planner

Jennifer Anderson
Sr. Historic Preservation Planner

Marsha Prior
Historic Preservation Planner

Tammy Palomino
Executive Assistant City Attorney

Casey Burgess
Sr. Assistant City Attorney

Bert Vandenberg
Assistant City Attorney

Task Force Advisors

Nicky DeFreece Emery, Assoc. AIA, LEED® AP
Task Force Facilitator
Adaptire:Adapt Preservation and Conservation

Robin McCaffrey, AIA, FAICP
Magnolia Building (1922)
Thomas Garza Photography, courtesy of Downtown Dallas, Inc.
MESA-Planning, former Planner, City of Dallas



Magnolia Building (1922)
Thomas Garza Photography, courtesy of Downtown Dallas, Inc.