Memorandum

CITY OF DALLAS

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

Key Focus Area
Public Safety

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?