



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: February 6, 2024

SUBJECT

Hold a public hearing and consider adoption of an ordinance of the City of Denton designating the property located at 314 Marietta Street, legally known as Block 1 Lot 4 of the West Oak Addition, a Historic Landmark under Section 2.9.4 of the Denton Development Code; providing for a penalty in the maximum amount of \$2000.00 for violations thereof; providing a severability clause and effective date. (HL23-0002c, Historic Landmark Designation of 314 Marietta Street, Cameron Robertson) The Historic Landmark Commission recommends a favorable determination (5-0) and the Planning and Zoning Commission recommends a favorable determination (6-0). (HL23-0002c, Historic Landmark Designation of 314 Marietta Street, Cameron Robertson)

<https://dentontx.new.swagit.com/videos/295786>

BACKGROUND

The applicant and property owners, Travis and Sara Rigsby, are requesting the Historic Landmark Designation of the existing residence at 314 Marietta Street.

The existing residence was constructed in 1940 in the Minimal Traditional architectural style and is a contributing property to the West Oak Area Historic District (WOA), the boundaries of which are shown in Exhibit 5. Minimal Traditional architectural style was prominent from the 1930s to circa 1950 and reflected simplified elements of other, more elaborate architectural styles, such as Colonial Revival and American Craftsman, popular in the earlier twentieth century, with typical features including smaller sized, one-story residences with hipped or gabled roofs, and primarily built of locally popular exterior materials. Photos of the property are included in the application provided as Exhibit 6. The property is considered a *High Priority* property for historic designation by the WOA survey, and a *Medium Priority* property for historic designation by the 1996 City-Wide Historic Resource Survey.

A Historic Landmark is a building, district, object, site, or structure that is officially recognized by the City, State of Texas, or the United States government, for its outstanding architectural, archeological, cultural, social, economic, ethnic and/or political historical significance. The designation of a historic landmark provides the City and the property owner the ability to preserve those aspects of the city having historical, cultural, architectural, and archaeological importance. Such preservation promotes and protects the prosperity, education, and general welfare of the people living in and visiting Denton. Some of the advantages of designation are:

Property Owner Benefits

- Studies have shown that historically designated properties appreciate in value at a greater rate than comparable properties that are not designated.

- The property is eligible for a local historic tax exemption.
- Protects the investment of owners and residents of historic properties from incompatible development.
- Visible recognition of the historic, architectural, or cultural value of the property.

Community Benefits

- Encourages better design through a comprehensive review by the Historic Landmark Commission (HLC).
- Protects historic buildings and potential historic landmarks from swift demolition.
- Provides a good tool for neighborhood revitalization.
- Increases neighborhood pride and awareness.
- Discourages sprawl by:
 - Encouraging reuse of existing resources in urban area neighborhoods.
 - Promoting compatible infill development.

Local historic landmark designations require a three-step process that starts with review and recommendation by the HLC. The Historic Landmark Designation request was recommended for approval subject to conditions by the HLC at their Monday, January 8, 2024 meeting (see Exhibit 8). The application was then considered by the Planning and Zoning Commission since a designation is considered a zoning action. The Planning and Zoning Commission must make a recommendation to City Council for its consideration. The Planning and Zoning Commission recommended approval of the request at their Wednesday, January 24, 2024 meeting (see Exhibit 9). The final step for historic designation is consideration by City Council hence this agenda item; City Council's decision is final and cannot be appealed.

Please note that the Historic Landmark Designation process is not subject to compliance with the criteria in Section 2.4.5E of the Denton Development Code (DDC) for approval of all applications, as the designation process is solely regulated by the criteria presented in DDC Section 2.9.4B, as specified below.

CONSIDERATIONS

Section 2.9.4B of the DDC specifies the Historic Preservation Officer (HPO) and the HLC shall review the historic landmark designation request for compliance with one (1) or more of the following criteria:

1. Character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state or the United States;
2. Recognition as a recorded state historic landmark, a national historic landmark, or entered into the National Register of Historic Places;
3. Reflects a distinguishing characteristic of an architectural type or specimen;
4. Identification as the work of an architect or master builder whose individual work has influenced the development of the city;
5. Reflects elements of architectural design, detail, material, or craftsmanship which represent a significant architectural innovation;
6. Relationship to other distinctive buildings, sites, or areas which are eligible for preservation according to a plan based on architectural, historic, or cultural motif;
7. Portrayal of the environment of a group of people in an area of history characterized by a distinctive architectural style;
8. Archeological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest;
9. Exemplification of the cultural, economic, social, ethnic, or historical heritage of the city, state, or the United States;
10. Location as the site of a significant historic event;

11. Identification with a person who significantly contributed to the culture and development of the city, state or the United States;
12. A building or structure that, because of its location, has become of value to a neighborhood, community area, or the city; or
13. Value as an aspect of community sentiment or public pride.

Based on the evaluation of the documentation submitted by the applicant, staff finds that this property meets the following four criteria of Section 2.9.4B of the DDC and is eligible for the historic landmark designation:

Number 1. Character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state or the United States

The residence at 314 Marietta Street is of interest and value to the development of the neighborhood located north of the University of North Texas (UNT). Much of the neighborhood, including the subject property, was originally developed (platted) during the 1920s and early 1930s and had residences later constructed throughout the 1930s and early 1940s, featuring multiple Minimal Traditional house styles that were prominent during that time period. As noted above, the subject residence is an example of this style. Although it is often seen as a “non-style” house, these houses were intentionally designed to be simple, economical, and able to be mass-produced. These cost-effective homes were built largely during the Great Depression because the Federal Housing Administration would insure long-term, low-interest home loans for these types of houses. By the 1940s, after World War II, this style of house was produced in large quantities to meet the need for housing for servicemen returning from the war and their families. By the 1950s, this style of house was largely replaced by ranch style houses.

On November 13, 2023, the applicant received an approved Certificate of Appropriateness (COA) from the HLC for the rehabilitation of the existing residence and the construction a new rear addition at 314 Marietta Street (see Exhibit 7). The HLC determined that the proposed project met the Secretary of the Interior’s Standards for Rehabilitation and complied with Sections 4.9.6C of the DDC, ensuring that the existing Minimal Traditional style residence was preserved, while providing the applicant with the space they needed to support a growing family. The proposed project included these key improvements to be made:

- Rehabilitation of the original residence, apart from the removal of the original rear sun porch and one, rear (east) exterior wall to construct a two-story addition with approximately 3,500 SF of garage and living space.
- Preservation of the existing residence’s wood facades. Any deteriorated siding will be replaced with new wooden tongue and groove siding to match. The proposed addition’s façade will be a continuation of the original residence, using wooden tongue and groove siding and finished to match.
- Replacement of existing door and windows in the current residence with 1940s era appropriate windows and leaded glass finishing’s that reflect the 1940s tax photo shown below.

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- On the west (front) façade, a faux garage door would be installed in the existing garage opening of the original residence so those viewing the structure will understand the original purpose and layout of the structure. The existing concrete driveway would be removed.

The proposed rear addition does not negatively affect the requested designation since the design of the addition complements the original structure, allowing for continued design consistency within the original development of the neighborhood.

Number 10. Location as the site of a significant historic event

The first meetings for the La Leche League of Denton were held at the property in 1968. The La Leche League International was founded in 1956 by women who wanted to give breastfeeding help and support to others. This organization still exists today to help breastfeeding mothers and parents worldwide with support, education, and encouragement.

Number 11. Identification with a person who significantly contributed to the culture and development of the city, State, or the United States

The original owner of 314 Marietta was Susie Shepherd. She was a prominent local figure between the 1930s and 1950s as her family contributed significantly to the education system in the North Texas area. Her husband, Dr. E .M Shepherd was a member of the East Texas State Teacher's College of Commerce, now known as Texas A&M University–Commerce, while her two sons were also professors in the education system. Along with her family's contribution to the education system, Susie Shepherd owned multiple properties throughout Denton in the 1930s, including several properties on Marietta Street, such as 312 Marietta, 422 Marietta, and 314 Marietta (the subject property). Her residence on 312 Marietta, which is presently identified with a Denton County Historical Marker, was used weekly to host meetings of the Woman's Society of Christian Council of the First Methodist Church in Denton.

The Hall family, who were the fifth owners of 314 Marietta Street, were another prominent family in Denton history that were highly involved at UNT and in Denton's community. J. D. Hall Sr. set up his own printing business, which he operated until the mid-1940s. His son, J.D. Hall Jr., continued in the printing business and in 1929 became the manager of the North Texas State Press, which printed the college newspaper "The Campus Chat". In 1930, J. D. Hall Jr. became faculty at UNT teaching journalism and industrial education. He was also appointed manager of the Yucca to expedite the production and was the co-sponsor of "The Campus Chat", which were, respectively,

the names of the UNT yearbook and the UNT student newspaper at the time. Both publications won awards under his leadership.

Apart from UNT campus involvement, the Hall family participated in the community often through the use of their homes. Like Ms. Shepherd, the Hall family owned more than one residence along Marietta Street. The Hall family's primary residence at 404 Marietta was used regularly for gatherings for Circle A of the Woman's Society of Christian Council of the First Methodist Church in Denton. Their residence hosted a range of events from church gatherings, to bridal showers, and Shakespeare club events, likely due to Mrs. J. D. Hall's involvement in both the First Methodist Church as executive assistant, and her service as vice president for the Women's Shakespeare club.

The full chain of title for the subject property is provided as part of Exhibit 6.

Number 12. A building or structure that, because of its location, has become of value to a neighborhood, community area, or the city

The subject property has become of value to the neighborhood and the city, as it helps tell the story of development in Denton in the first half the of the twentieth century, specifically in the area north of UNT, as well as its connection with persons and events of significance to the community.

CONSISTENCY WITH 2019 HISTORIC PRESERVATION PLAN

Goal #1, Policy 1.3 of the City of Denton's 2019 Historic Preservation Plan (the Plan), states that the HPO and HLC, and other decision-makers, should prioritize and designate eligible buildings and areas for potential landmarks and historic districts, especially for listing in the National Register of Historic Places.

The potential designation of 314 Marietta Street, which as previously stated, is considered a *High Priority* property for historic designation by the WOA, and a *Medium Priority* property for historic designation by the 1996 City-Wide Historic Resource Survey, helps the City meet Goal #1, Policy 1.3 of the Plan through the continuation of preserving Denton's significant historic, cultural, and architectural resources at the local level.

CONSISTENCY WITH DENTON 2040 COMPREHENSIVE PLAN

Goal CC-2 of the Denton 2040 Comprehensive Plan states that the City should preserve and maintain the unique character of Denton for long-term sustainment of community character, by actively preserving and maintaining Denton's existing and future identified historic resources in conformance with the goals and policies in the 2019 Historic Preservation Plan. This goal is to be accomplished through both implementing recommendations for historic landmark, historic district, and conservation districts per updated historic resources survey to ensure consistent protection, as well as through encouraging voluntary landmark and historic district designation as a vehicle to protect sites with historical and architectural significance

Pursued by the applicant and property owners, the property is historically significant to the Denton community for its contribution to the architectural character and value to the neighborhood, being the location of a significant Denton event, as well as identification with persons who contributed to the City and North Texas region. In addition, 314 Marietta Street has been identified by two past historic resource surveys as a property eligible of designation, and therefore, is in conformance with both the Plan and the Denton 2040 Comprehensive Plan.

HISTORIC LANDMARK COMMISSION

As noted above, the Historic Landmark Commission held a public meeting for this request at their January 8, 2024 meeting. No members of the public spoke at the hearing. The Commission inquired about whether

the recently approved COA for the building addition would affect the designation request and what that meant for building permits. Staff informed the Commission that any building permits for the subject property have been paused to allow for the historic landmark designation process to take place and stated that with the rehabilitation of the existing Minimal Traditional style residence and the construction a complimentary, new rear addition it would not impact the designation opportunity for the structure due to the criteria that the subject property was eligible for.

In addition, the Commission inquired about the number of criteria being presented and whether that was sufficient for designation consideration. Staff informed them that according to the DDC, the historic landmark designation request must be in compliance with one (1) or more of the criteria shared above, but that with the inclusion of more than one criterion, there is further evidence for historic landmark designation eligibility.

The Commission voted [5-0] to recommend approval of the request with the condition of adding Criteria 12 as another reason for why the property is eligible for the historic landmark designation, which has been included in the considerations above. <https://dentontx.new.swagit.com/videos/293645>

See Exhibit 8 for the HLC meeting minutes.

PLANNING AND ZONING COMMISSION

As noted above, the Planning and Zoning Commission held a public hearing for this request at their January 24, 2024 meeting; there was no discussion related to the item. The applicant spoke at the hearing and thanked Staff for their assistance and the opportunity to carry on the property's legacy.

The Commission voted [6-0] to recommend approval of the request.

See Exhibit 9 for the Planning and Zoning Commission meeting minutes.

PREVIOUS ACTION/REVIEW

Date	Council, Board, Commission	Request	Action
November 13, 2023	Historic Landmark Commission	Rehabilitation of the Residence and Construction of Rear Addition (COA23-0007)	Approved (4-0)
January 8, 2024	Historic Landmark Commission	Historic Landmark Designation	Recommended Approval w/ Conditions (5-0)
January 24, 2024	Planning and Zoning Commission	Historic Landmark Designation	Recommended Approval (6-0)

PUBLIC OUTREACH

A notice was published in the Denton Record Chronicle on January 20, 2024.

A notice was published on the City's website on January 16, 2024.

One sign was posted on the property on January 11, 2024.

OPTIONS

1. Recommend Approval
2. Recommend Approval with Conditions

3. Deny
4. Postpone Item

RECOMMENDATION

Staff recommends **approval** of the request for Historic Landmark Designation of the property located at 314 Marietta Street. This designation is consistent with goals and objectives of the Denton 2040 Comprehensive Plan and the 2019 Historic Preservation Plan, as well as meets the criteria for Historic Landmark Designations as outlined in Sections 2.9.4B of the DDC.

EXHIBITS:

Exhibit 1 - Agenda Information Sheet
Exhibit 2 - Site Location Map
Exhibit 3 - Current Zoning Map
Exhibit 4 - Future Land Use Map
Exhibit 5 - West Oak Area Historic District Map
Exhibit 6 - Historic Landmark Designation Checklist and Application
Exhibit 7 - Approved COA Letter
Exhibit 8 - January 8, 2024 Historic Landmark Commission Meeting Minutes
Exhibit 9 - January 24, 2024 Planning and Zoning Commission Meeting Minutes
Exhibit 10 - Notification Map and Posting Affidavit
Exhibit 11 - Draft Ordinance
Exhibit 12 - Presentation

Respectfully submitted:
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Planning Director

Prepared By:
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Historic Preservation Officer