



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda

Historic Landmark Commission

Monday, June 10, 2024

5:30 PM

Development Service Center

After determining that a quorum is present, the Historic Landmark Commission of the City of Denton, Texas will convene in a Regular Meeting on Monday, June 10, 2024, at 5:30 p.m. in Training Rooms 3, 4, and 5, at the Development Service Center, 401 N. Elm Street, Denton, Texas, at which the following items will be considered:

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

“Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

2. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

Citizens may complete one Request to Speak “Public Comment” card per night for the “Presentations from Members of the Public” portion of the meeting and submit it to City Staff. Presentations from Members of the Public time is reserved for citizen comments regarding items not listed on the agenda. No official action can be taken on these items. Presentations from Members of the Public is limited to five speakers per meeting with each speaker allowed a maximum of three (3) minutes.

3. ITEMS FOR CONSIDERATION

Interested citizens should arrive at the meeting prior to the scheduled start time. Public comment will be accepted only for those items identified to be "public meeting(s)".

- A. [HLC24-022](#) Introduction of new Commissioner Ethan Gillis.
- B. [HLC24-016](#) Consider approval of the May 13, 2024 minutes.

Attachments: [May 13, 2024 HLC Meeting Minutes](#)

4. WORK SESSION

- A. [HLC24-021](#) Receive a report and hold a discussion regarding different local level tax exemptions offered throughout Texas for historic properties.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - Denton Code of Ordinances - Ch. 10, Article VI](#)

- B. [HLC24-020](#) Receive a report, hold a discussion, and give staff direction on the Historic Landmark Commission’s request for local historic designation of eligible historic properties.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)

- C. [HLC24-019](#) Hold a discussion regarding the Historic Landmark Commission Project Matrix.

Attachments: [Exhibit 1 - 2024 Matrix](#)

5. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Historic Landmark Commission or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

NOTE: The Historic Landmark Commission reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

CERTIFICATE

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on June 7, 2024, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.



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File #: HLC24-022, **Version:** 1

AGENDA CAPTION

Introduction of new Commissioner Ethan Gillis.



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File #: HLC24-016, **Version:** 1

AGENDA CAPTION

Consider approval of the May 13, 2024 minutes.

MINUTES
HISTORIC LANDMARK COMMISSION
May 13, 2024

After determining that a quorum was present, the Historic Landmark Commission of the City of Denton, Texas convened in a Regular Meeting on Monday, May 13, 2024, at 5:30 p.m. at the Development Service Center, 401 N. Elm Street, Denton, Texas, at which the following items will be considered:

PRESENT: Vice-Chair Shaun Treat, and Commissioners: Heather Gregory, Linnie McAdams, and Etan Tepperman

ABSENT: Chair Angie Stripling, and Commissioner Ethan Gillis

REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

2. PRESENTATIONS FROM MEMBERS OF THE PUBLIC

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James Attaya, 2333 Emery St., spoke about 3 historically significant Texas Woman’s University properties.

3. ITEMS FOR INDIVIDUAL CONSIDERATION

- A. **HLC24-010:** Consider approval of the March 18, 2024 minutes.

Commissioner McAdams moved to approve the minutes as presented. Motion seconded by Commissioner Gregory. Motion carried.

AYES (4): Vice-Chair Shaun Treat, and Commissioners: Heather Gregory, and Linnie McAdams, and Etan Tepperman

NAYS (0): None

- B. **HL24-0001:** Hold a public meeting and determine whether the presented expenses resulted in a permanent improvement and/or restoration of a local historic landmark property located at 903 W Oak Street, in the Oak-Hickory Historic District. The site is located on the south side of w oak street between Fulton Street and Mounts Avenue. (HL24-0001, 903 W Oak Street, Cameron Robertson)

Commissioner McAdams moved to recommend a favorable determination that the expenses presented, with the exception of the creation of a new storage space and the trash haul, resulted in a permanent improvement and/or restoration of the landmarked property located at 903 W Oak Street. With the exception of the creation of a new storage space and the trash haul, the applicant still meets the minimum ten thousand dollars (\$10,000.00) or more requirement stated in the City's Code of Ordinances, Sec. 10-128 (d). Commissioner Gregory seconded the motion. Motion Carried.

AYES (4): Vice-Chair Shaun Treat, and Commissioners: Heather Gregory, Linnie McAdams, and Etan Tepperman
NAYS (0): None

4. WORK SESSION

- A. HLC24-018:** Receive a report and hold a discussion regarding the economic impact of Denton's Historic Preservation Program.

Justin Stackhouse, Administrative Analyst, and Cameron Robertson, Historic Preservation Officer, presented the economic impact of Denton's Historic Preservation Program. Discussion between Staff and Commission followed.

- B. HLC24-012:** Receive a report, hold a discussion, and give staff direction on the Historic Landmark Commission's request for local historic designation of eligible historic properties.

Staff presented the item, and no designations were presented.

- C. HLC24-011:** Hold a discussion regarding the Historic Landmark Commission Project Matrix.

Staff presented the item. Commissioner McAdams moved to add a discussion around the historically significant Texas Woman's University properties to the Matrix. Commissioner Tepperman seconded the motion. The commission voted unanimously to add this item to the Matrix.

5. CONCLUDING ITEMS

With no further business, the meeting was adjourned at 6:12 p.m.

X

Shaun Treat
Historic Landmark Commission Vice-Chair

X

Lacy Brummett
Administrative Assistant

Minutes Approved On: _____



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File #: HLC24-021, **Version:** 1

AGENDA CAPTION

Receive a report and hold a discussion regarding different local level tax exemptions offered throughout Texas for historic properties.



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AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: June 10, 2024

SUBJECT

Receive a report and hold a discussion regarding different local level tax exemptions offered throughout Texas for historic properties.

BACKGROUND

This work session is being presented as a follow-up to a Matrix request made on November 14, 2022 related to how other cities are incentivizing owners to designate their historic properties. At this work session, Staff will:

- Present examples of how historic tax incentives are used in other cities;
- Comparison of Denton's Designated Historic Sites tax exemption vs other cities incentives; and
- Next steps.

EXHIBITS:

1. Agenda Information Sheet
2. Denton Code of Ordinances – Ch. 10, Article VI

Respectfully submitted:
Tina Firgens, AICP
Deputy Director Development Services/
Planning Director

Prepared By:
Cameron Robertson, AICP
Historic Preservation Officer

ARTICLE VI. - TAX EXEMPTION FOR DESIGNATED HISTORIC SITES

Footnotes:

--- (7) ---

Cross reference— *Historic land preservation and historic districts, § 35-211 et seq.*

Sec. 10-126. - Purpose.

This article is enacted for the purpose of encouraging the preservation of individually designated historic sites by providing for a reduction of the city's property tax to qualifying properties.

(Ord. No. 87-189, § I(22-50), 10-20-87)

Sec. 10-127. - Definition.

As used in this article, "designated historic site" means any structure or archeological site and the land necessary for access to and use of the structure or archeological site, if the structure or archeological site is designated as a historically or archeologically significant site in need of tax relief to encourage its preservation pursuant to an ordinance or other law adopted by the governing body of the unit.

(Ord. No. 87-189, § I(22-51), 10-20-87; Ord. No. 2009-290, § 1, 11-17-09)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 10-128. - Partial tax exemption of designated historic sites.

- (a) Any property which was a designated historic site on the first day of January for any year beginning with 1989 and extending to and including 2008, shall be exempt from real property ad valorem taxes levied by the City of Denton to the extent of fifty (50) percent of the assessed value of the designated historic site. The exemption provided for herein shall apply for a maximum of fifteen (15) successive years, beginning with the first year the property is entitled to the exemption during the specified years and continuing and including each and every year of the fourteen (14) successive years thereafter during which the property is a designated historic site on the first day of January of those fourteen (14) years.
- (b) Any property which was a designated historic site on the first day of January 2009 shall be exempt from real property ad valorem taxes levied by the City of Denton for tax year 2009 to the extent of fifty (50) percent of the assessed value of the designated historic site.
- (c) Any property which is designated a historic site after the first day of January 2009 may be exempt from real property ad valorem taxes levied by the City of Denton to the extent of fifty (50) percent of the assessed value of the designated historic site if the property owner demonstrates to city qualifying expenses of ten thousand dollars (\$10,000.00) or more for permanent improvements and/or for restoration of said property. The qualifying expenses are limited to two (2) years prior to designation as a historic site. The historical landmark commission must determine whether the qualifying expenses result in a permanent improvement and/or restoration of said property as a condition of receiving the exemption. The exemption provided for herein shall apply for a maximum of ten (10) successive years, beginning with the first year the property is entitled

to the exemption during the specified years and continuing and including each and every year of the nine (9) successive years thereafter during which the property is a designated historic site on the first day of January of those nine (9) successive years.

- (d) Additional ten (10) year exemptions thereafter will require the property owner to demonstrate to city qualifying expenses of ten thousand dollars (\$10,000.00) or more, beyond those demonstrated for the initial or subsequent exemption, for permanent improvements and/or for restoration of said property. The historical landmark commission must determine whether the qualifying expenses result in a permanent improvement and/or restoration of said property as a condition of receiving the exemption.
- (e) Upon designation as a historic site eligible for a tax exemption or reauthorization of a tax exemption, the director of planning and development shall provide the property owner a certified ordinance or other document that authorizes the tax exemption. To receive the exemption provided herein, a person claiming the exemption must apply for the exemption with the chief appraiser of the Denton Central Appraisal District as provided by state law. Immediately after issuance of a certificate of demolition or removal, the director of planning and development shall notify the chief appraiser of the Denton Central Appraisal District.

(Ord. No. 87-189, § I(22-52), 10-20-87; Ord. No. 98-110, § I, 4-21-98; Ord. No. 2009-290, § 1, 11-17-09)

Sec. 10-129. - Recapture of taxes.

- (a) If any designated historic site is, within twenty-five (25) years from any year in which the property received a tax exemption under this article:
 - (1) Removed as a designated historic site by ordinance, upon the request of the owner; or
 - (2) Removed as a designated historic site by ordinance after it has been determined to have been totally or partially destroyed or altered by the willful or negligent act of the owner or the owner's agent, in violation of article V of chapter 35 of this Code;

an additional tax is imposed, on the effective date of the ordinance providing for its removal as a designated historic site, equal to the difference between the city taxes imposed for each year an exemption was made under this article, and the taxes that would have been imposed had the exemption not been made, plus interest on the additional amount at an annual rate of seven (7) percent, calculated from the dates on which the additional taxes would have become due if not exempted.

- (b) If, in providing for the removal of a property as a designated historic site because of its being partially or totally destroyed or altered, as provided in subsection (a)(2) of this section, the city council, after receiving the determination of the historic landmark commission and planning and zoning commission, determines, after public hearing for which the owner shall be given notice, that the property was totally or partially destroyed or altered by the willful or negligent act of the owner or his representative, in violation of article V of chapter 35, the additional tax provided for in this section shall be imposed.
- (c) A tax lien attaches to the property on the date it is removed as a designated historic site to secure payment of the additional tax and interest imposed by this section. The lien exists in favor of the city for which the additional tax is imposed.
- (d) The city tax assessor and collector shall notify the chief appraiser of the additional tax imposed and shall prepare and deliver a statement to the owner for the additional taxes plus interest as soon as practicable

after removal of the property as a designated historic site. The taxes and interest are due and become delinquent and incur penalties and interest as provided by law for ad valorem taxes imposed by the city if not paid before February 1 of the year following the year in which the additional tax is imposed.

(Ord. No. 87-189, § I(22-53), 10-20-87)

ARTICLE VII. - TAX EXEMPTION FOR HISTORICALLY SIGNIFICANT SITES

Sec. 10-130. - Granting of partial exemption.

Any property which is designated as a "historically significant site" pursuant to the terms of this article and which is substantially rehabilitated as provided herein shall have abated any increase in the assessed value for ad valorem tax purposes in excess of the assessed value of the property for the tax year immediately prior to the renovation, for a period of ten (10) years following the completion of the renovation. Only the historic structure and the land reasonably necessary for access to, and use of, the structure shall be subject to the tax abatement. The abatement period shall begin on the first day of the tax year following completion of the rehabilitation project.

(Ord. No. 98-116, § I, 4-28-98)

Sec. 10-131. - Designation of historically significant sites.

For the purpose of this article, all structures, residential and commercial, fifty (50) years old or older which are within the boundaries of the downtown commercial district as indicated on attachment "A," which is attached hereto [in Ord. No. 98-116] and made a part hereof for all purposes, are designated as historically significant sites in need of tax relief to encourage their preservation.

(Ord. No. 98-116, § I, 4-28-98)

Sec. 10-132. - Eligibility.

To be eligible for a property tax abatement, a property must meet the following requirements:

- (1) The property must meet the requirements for designation as a historically significant site in need of tax relief as defined in section 10-131 of this article.
- (2) The property must meet all requirements for application, certification and verification as set forth below.

(Ord. No. 98-116, § I, 4-28-98)

Sec. 10-133. - Application process.

Applications for a historically significant site tax exemption pursuant to this article are to be filed with the preservation officer (or such other city official designated by the city manager) of the City of Denton, who shall be the agent for the City of Denton for the purposes of administering this article. Each application must be signed by the owner of the property, be acknowledged before a notary public and shall:

- (1) State the legal description of the property proposed for certification;



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Legislation Text

File #: HLC24-020, **Version:** 1

AGENDA CAPTION

Receive a report, hold a discussion, and give staff direction on the Historic Landmark Commission's request for local historic designation of eligible historic properties.



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AGENDA INFORMATION SHEET

DEPARTMENT: Department of Development Services

ACM: Cassey Ogden

DATE: June 10, 2024

SUBJECT

Receive a report, hold a discussion, and give staff direction on the Historic Landmark Commission's request for local historic designation of eligible historic properties.

BACKGROUND

At the November 14, 2022, HLC meeting, staff started including a standing agenda item that pertains to the designation of local historic properties. Commissioners have the opportunity to bring forward one to two properties from Denton's Historically Eligible Structures map to discuss and vote on. A Commissioner proposing a property for local designation consideration will have a maximum of two-minutes to justify the need for designation of the property. Remaining Commissioners will then have a maximum of one minute each to provide feedback and indicate their support for the designation. Each proposed property will need a minimum of four Commissioner votes to pursue designation of the property. If the property receives four or more votes, the property will be added to an active designation list to be maintained by staff for the HLC. The HLC will have the opportunity to utilize the list to reach out to property owners to encourage the designation of their property or properties.

EXHIBITS

1. Agenda Information Sheet
2. Denton's [Historically Eligible Structures](#) Map

Respectfully submitted:
Tina Firgens, AICP
Deputy Director Development Services/
Planning Director

Prepared by:
Cameron Robertson, AICP
Historic Preservation Officer



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File #: HLC24-019, **Version:** 1

AGENDA CAPTION

Hold a discussion regarding the Historic Landmark Commission Project Matrix.

**2024
Historic Landmark Commission
Requests for Information**

Request		Request Date	Status
Discussion regarding benefits for preserving historic properties and how other Cities are incentivizing owners to designate their properties	HLC	11/14/2022	To be presented at the June 10 th HLC Meeting
Template/agenda to be utilized by HLC members at community meetings to discuss and educate historic property owners on designation, HLC/HPO processes, etc.	HLC	2/12/2024	To be presented at the July or August HLC Meeting
Discussion regarding the historically significant Texas Woman’s University properties	HLC	5/13/2024	To be scheduled for the July 8th HLC Meeting
General topic training relevant to duties and interests of the Historic Landmark Commission	HLC	2/12/2024	Monthly occurrence
Presentation of preliminary guidelines regarding property features, such as fencing and windows, for use by the public and HLC	HLC	11/14/2022	On-hold
Focus group of historic property owners to discuss present historic preservation procedures and incentives	HPO	12/27/2023	Will schedule for late Summer or early Fall
Items for Historic Landmark Commission Consideration			

Start discussing ideas for HLC outreach in Winter 2024 and into 2025 (ex. Preservation Month, historic Porch Fest, etc.)	HPO	3/18/2024	Commissioners have provided ideas over the last few months, so would be good to create a reoccurring agenda item for 2-3 months to discuss outreach events
Annual Update			
Prepare an annual study list of potential landmarks and districts.	HLC/HPO	2024 Work Plan Goal	
Broaden the tax-exemption eligibility criteria for improvements to historic buildings.	HLC/HPO	2024 Work Plan Goal	
Explore a program allowing for the partial or full property tax exemption from the City of Denton and other applicable taxing authorities for locally designated historic homes.	HLC/HPO	2024 Work Plan Goal	
Complete designation reports for landmarks and districts.	HLC/HPO	2024 Work Plan Goal	
Update the Denton Historic Preservation Ordinance to promote clarity in Certificate of Appropriateness procedures and Historic Landmarks Commission responsibilities, among other Ordinance enhancements.	HLC/HPO	2024 Work Plan Goal	
Create a marketing plan to encourage additional Local Landmark designations.	HLC/HPO	2024 Work Plan Goal	
Provide training to local realtors and bankers.	HLC/HPO	2024 Work Plan Goal	

Future HLC Meetings:

Monday, July 8th

Monday, August 12th

Monday, September 9th

Monday, October 14th

Monday, November 18th

Monday, December 9th