

ARCHITECTURE

TEXAS HISTORICAL COMMISSION

AGENDA ARCHITECTURE COMMITTEE

AT&T Executive Education and Conference Center
Grand Salon ABC
1900 University Avenue
Austin, TX 78705
April 26, 2021
10:00 a.m.

(or upon adjournment of the Archeology Committee, whichever occurs later)

Pursuant to the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act due to the Coronavirus (COVID-19), the April 26, 2021 meeting of the Architecture Committee will be held by videoconference as authorized under Texas Government Code section 551.127. The presiding officer and a quorum of the Architecture Committee will be present at the above-posted physical location. The public is invited to attend via Zoom using the registration link provided or in person in accordance with the instructions below.

To attend by Zoom, registration is required: <http://bit.ly/april26thcmeeting>

For audio only access via telephone: 1(346) 248-7799 Webinar ID: 914 0970 3244

To attend in person: In accordance with policies of the meeting facility, facemasks are recommended to enter the building and remain on while in the common area. The THC strongly recommends mask use and social distancing throughout the property and during the meeting. The THC encourages any person experiencing symptoms of illness to attend by videoconference instead of in person.

Digital copies of the meeting materials will be available at www.thc.texas.gov/videoconferences after April 20, 2021. To obtain a recording of the meeting please contact Donye Reese after April 30, 2021. The members may discuss and/or take action on any of the items listed in the agenda.

1. Call to Order — *Chairman Perini*
 - A. Committee member introductions
 - B. Establish quorum
 - C. Recognize and/or excuse absences
2. Consider approval of meeting minutes for the Architecture Committee Meeting of February 2, 2021— *Perini*
3. Division of Architecture update and Committee discussion — *Graham*
4. Update on the status of the Mason County Courthouse restoration project – *Graham*
5. Consider adoption of amendments to sections 13.3, 13.4, 13.5, and 13.6 of the Texas Administrative Code, Title 13, Part 2, Chapter 13 related to the Texas Franchise Tax Credit for Certified Rehabilitation of Certified Structures, without changes as published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1150-1156) (Item 8.4A) – *Graham*
6. Discussion and possible action related to a request for partial removal of the deed covenant for the Naval Weapons Industrial Reserve Plant, Dallas, Dallas County (Item 11.2) – *Graham*
7. Adjournment — *Perini*

TEXAS HISTORICAL COMMISSION

MINUTES ARCHITECTURE COMMITTEE

Videoconference Meeting

February 2, 2021

1:15 p.m.

Committee members in attendance: Commissioners Laurie Limbacher, Garrett Donnelly, Earl Broussard, Monica Burdette, Lilia Garcia, and Wallace Jefferson.

Committee members absent: Chairman Tom Perini.

1. Call to Order

The meeting was called to order at 1:15 p.m. on February 2, 2021 by Commissioner Earl Broussard who presided as chair in the absence of Architecture Committee Chairman Tom Perini. He announced the meeting had been posted to the *Texas Register*, was being held in conformance with the Texas Open Meetings Act, Texas Government Code, Chapter 551 and that notice was properly posted with the Secretary of State's Office as required.

A. Committee member introductions

Commissioner Broussard welcomed everyone and called on each commissioner to individually state their name and the city in which they reside.

B. Establish quorum

Commissioner Broussard reported a quorum was present and declared the meeting open.

C. Recognize and/or excuse absences

Commissioner Broussard made a motion to excuse the absence of Chairman Tom Perini. Commissioner Garrett Donnelly seconded the motion, which passed unanimously.

2. Consider approval of the October 27, 2020 Architecture Committee Minutes

Commissioner Broussard called for a motion to approve the minutes of the October 27, 2020 Architecture Committee meeting. Commissioner Lilia Garcia motioned, and Commissioner Monica Burdette seconded the motion, which passed unanimously.

3. Division of Architecture update and committee discussion

Lisa Harvell, Program Coordinator for the Texas Preservation Trust Program, provided the Division of Architecture update on behalf of Director Bess Althaus Graham. Ms. Harvell reported that, despite the Coronavirus pandemic, all 5 programs and 20 staff remained incredibly busy. Ms. Harvell introduced Lydia Woods-Boone, Program Coordinator for the Federal and State Review program. Ms. Boone provided updates

on the Battleship Texas BB35. She reported the foam installation project was nearly complete, but they were also constructing large scale patches. Ms. Woods-Boone reported the ship was preparing to move in late June or early July 2021. Additionally, Ms. Woods-Boone highlighted a Section 106 project, the Santa Fe Building in Dallas County.

Ms. Harvell continued by reporting on activities of the Texas Preservation Trust Fund program. She highlighted Bishops Palace located in Galveston. Ms. Harvell explained that Bishops Palace received a grant award of \$66,259.03 as one of the Fiscal Year 2020 TPTF completed grant projects. She noted grant recipients were required to submit a project completion report. For architecture development grants, recipients document the condition of the building before, during, and after the projects. Ms. Harvell reported the Galveston Historical Foundation did an excellent job of documenting the project and was a good example of a phased project for the TPTF Grant program.

Lisa Hart, the Program Coordinator for the Disaster Assistance Program, provided a program overview. She reminded the committee that the program is fully funded by the National Park Service (NPS) Emergency Supplemental Historic Preservation Fund (EMSHPF). Ms. Hart noted the Subgrant Agreement and Programmatic Agreement were in place. She reported six funding agreements were in place, two pending signature, and ten that were actively under development. She noted that a historic cemetery workshop Request for Proposal was posted, the Fulton Mansion reproduction rug invitation-to-bid had been published and the Statewide Preservation and Disaster Plan RFP was under review by the National Park Service. Ms. Hart added that, for external applicants, there were forty projects that had been approved for funding and 6 projects on an approved alternate project list. Ms. Hart explained that, due to a second project dropping out of the program, funding allocated for that project was being considered for re-allocation to The Anaqua House. She stated if the Anaqua House was approved for funding, with a remaining balance of about \$34,000 to be distributed later.

Program Coordinator Caroline Wright highlighted the activities of the Historic Preservation Tax Credit Program. Ms. Wright began by highlighting the McFarland House in Austin. She noted tax credit staff were very busy this year and instead of a typical year end handout, charts were being presented. Ms. Wright reported that some of the numbers for approved applications were down this year over previous years, but the staff were still quite active despite the pandemic. She noted that the Part 2 and Part B numbers did not include amendments to existing projects, which were numerous in 2020. She reported the program only received five less applications in 2020 than in 2019, since significant construction and development work continued despite the pandemic. Ms. Wright noted that the program certified more projects in 2019 with less qualified expenses, indicating that smaller projects were completed that year. She explained that Qualified Expenses were the project costs counting toward the value of the credits; in other words, the credit value applied only to the Qualified Expenses, and not the total project cost. Ms. Wright highlighted St. John's Seminary which was a recently certified project located adjacent to Mission Concepción in San Antonio. Because of the significance of the location, the project provided a rare tax credit example that included an archeological component.

Program Coordinator Susan Tietz reported on activities of the Courthouse Preservation Program. Ms. Tietz reported four Round X full restoration courthouse grant projects were scheduled to be completed and re-dedicated in 2021. She highlighted the Falls County Courthouse in Marlin, scheduled to rededicate in the Summer of 2021. She noted that the scaffolding was coming down following the completion of the masonry cleaning, restoration, and window installation and the light fixtures and unique wood finish mock-ups had been approved. Ms. Tietz provided an update on the Fannin County Courthouse in Bonham which was scheduled to rededicate in the Fall/Winter of 2021, noting that exterior masonry and roof reconstruction were underway, and the cupola would be erected in the Spring. She also advised the Marion County Courthouse in Jefferson was scheduled to rededicate in the Spring/Summer 2021, highlighting that the exterior restoration were complete and interior finishes were nearly complete, including replication of the stenciling in the District Courtroom. Ms. Tietz noted the Round X full restoration project for the Lipscomb County Courthouse in Lipscomb was

scheduled to rededicate in the Summer of 2021 with exterior masonry and sheet metal cornice restoration nearly complete along with interior finishes.

4. Consider approval of the recapture of funds and/or supplemental funding to previously awarded Texas Historic Courthouse Preservation Program projects

Ms. Tietz reported the architect who prepared Jefferson County's master plan update had submitted all invoices, and the County had been fully reimbursed for their expenses. She explained that there was a \$5,000 balance remaining from their grant that needed to be recaptured.

Commissioner Broussard moved that the Architecture Committee send forward to the Commission and recommend approval of the recapture of funds from and/or supplementary funding to previously-award projects as follows: recapture from Jefferson County in the amount of \$5,000. Commissioner Laurie Limbacher seconded the motion, which passed unanimously.

5. Consider approval of Texas Historic Courthouse Preservation Program Round XI grant awards

Ms. Tietz advised that, to allocate most of the remaining grant funds balance, a full restoration grant of \$3 million dollars was offered to the next highest scoring applicant. She noted both Hunt County and Van Zandt County declined that grant offer. Ms. Tietz highlighted that Polk County completed their 95% architectural plans and specifications for a full site, exterior and interior restoration using funds from a Round X Planning Grant. She further noted their Round XI grant application was a request to fully restore their courthouse, including the restoration of the masonry, sheet metal, and the interior layout, furnishings, and finishes. Ms. Tietz reported Polk County had been offered a \$3,000,000 grant to complete this full restoration and the County was willing to make up the \$1,744,746 difference between the most recent offer and the original grant request in their May 2020 grant application.

Commissioner Burdette moved to approve the funding recommendations for the Round XI Texas Historic Courthouse Preservation Program grant awards as outlined by granting full restoration funding to Polk County in the amount of \$3,000,000 to achieve a full restoration of the Polk County Courthouse with an estimated total project cost of \$10,103,625. Commissioner Garcia seconded the motion which passed unanimously. Commissioner Limbacher recused herself due to her firm's involvement with Round XI applicants.

6. Consider adoption of amendments to the Texas Administrative Code, Title 13, Part 2, Chapter 17, State Architectural Programs, related to Review of Work on County Courthouse, §17.2 with changes to the text as published in the November 13, 2020 issue of the *Texas Register* (45 TexReg 8083-8086)

Ms. Tietz reported the rule amendment to Chapter 17 would clarify the process for relocating or removing monuments from courthouse squares. She noted that the Courthouse Law that protects courthouse squares did not have a particular process and there had been several relocation/removal requests over the past year. She advised that the proposed amendment referred to a proposed Chapter 21 rule to process requests to relocate or remove markers and monuments and section 17.2 applied specifically to monuments on courthouse squares and sites.

Ms. Tietz elaborated that, since the revised rules were posted, a new definition of monuments was being recommended for posting in section 26.3 and section 17.2 proposed adopting that definition by reference to provide consistency throughout the rules. She also noted a previous reference to monuments on the Capitol grounds was removed from the definition in section 26.3 on the recommendation of comments from the public. Ms. Tietz read the proposed monument definition in Section 26.3 (42): *Monument—Includes features planted, built, or installed that commemorate or designate the importance of an event, person, or place, which may or may not be located at the site(s) they commemorate, such as stone or metal monuments and statuary as well as trees, shrubs, designed landscapes, and other plantings located on public grounds*

such as courthouse squares and parks. Aluminum markers erected by or with the permission of the commission are not included in this definition.

Ms. Tietz emphasized that the proposed rule change provided a process for property owners to request relocation or removal of a monument from their property.

Commissioner Donnelly moved that the Architecture Committee send forward to the Commission and recommend approval to adopt amendments to the Texas Administrative Code, Title 13, Part 2, Chapter 17, State Architectural Programs, Section 17.2 related to Review of Work on County Courthouses, with changes to the text as published in the November 13, 2020 issue of the *Texas Register* (45 TexReg 8083-8086). Commissioner Limbacher seconded the motion which passed unanimously.

7. Consider approval of filing authorization of proposed amendments to sections 13.3 -13.6 of the Texas Administrative Code, Title 13, Part 2, Chapter 13 related to the Texas Franchise Tax Credit for Certified Rehabilitation of Certified Structures for first publication and public comment in the *Texas Register*

Ms. Wright advised on four proposed edits to support eventual initiation of an electronic submission system for the State Tax Credit program. She emphasized that the proposed amendments referred to sections of the program rules requiring applications in hard copy. Ms. Wright also noted the THC was working towards implementation of an electronic application submission process, in alignment with the future federal submission process.

Commissioner Burdette moved that the Architecture Committee send forward to the Commission and recommend approval for filing authorization of proposed amendments to sections 13.3, 13.4, 13.5, and 13.6 of the Texas Administrative Code, Title 13, Part 2, Chapter 13, related to the Texas Franchise Tax Credit for Certified Rehabilitation of Certified Structures for first publication in the Texas Register. Commissioner Garcia seconded the motion which passed unanimously.

6. Adjournment

Commissioner Earl Broussard adjourned the meeting at 2:19 p.m.

Quarterly Report

Division of Architecture

January–March 2021

FEDERAL AND STATE REVIEW

During this quarter, the Division of Architecture's regional review staff completed 186 reviews under Section 106 of the National Historic Preservation Act of 1966, issued eight permits for State Antiquities Landmark (SAL) properties, reviewed 84 Recorded Texas Historic Landmark properties, and provided oversight and guidance to 15 active Texas Preservation Trust Fund (TPTF) grant projects.

Recorded Texas Historic Landmarks

The El Paso Independent School District has plans to rehabilitate the Classic Revival **El Paso High School**. The project, which is in the early planning stage, will address historic terra cotta treatment among other preservation issues on the 1916 landmark designed by noted architect Henry Trost.

The City of Granbury and Preservation Granbury are now moving forward with the first phase of rehabilitation of the **Granbury Light Plant**, a city-owned Recorded Texas Historic Landmark (RTHL). The first phase scope of work includes cleaning the exterior limestone masonry and repairing issues with the historic steel windows and wood doors. This preservation work will make the Light Plant more accessible to the public as part of the City's Lambert Branch Park

Exterior renovations to the 1928 **La Salle Hotel** are underway. Built to serve the (now demolished) train depot, and one of downtown Bryan's most visible buildings, the hotel was revamped in 2015, after remaining vacant for several decades. After a preliminary review earlier this year, the owner opted to replace windows installed in 1998 with a more compatible type and restore the original steel-frame windows on the rear facade.

Texas Preservation Trust Fund

The THC recently recognized the service of six TPTF advisory board members who were longstanding members of the board: Elizabeth Loudin Powell, preservationist (5 years), originally from Lubbock now in Arlington; Suzy Juncker, real estate professional (12 years), originally from Austin and now in Dallas; Shan Rankin, nonprofit preservation organization director (14 years), from

McAllen; Jim Rhotenberry, architect (14 years), from Midland; B.F Hicks, attorney representative (17 years), from Mount Vernon; and Bob Smith, bank/savings and loan association representative (19 years) from New Braunfels. Through the years, these members provided sound advice and guidance in recommending grant projects to the Commission, as well as on ways to enhance and utilize the TPTF to further the cause of preservation throughout Texas.

Hurricane Harvey Emergency Supplemental Historic Preservation Fund (ESHPF)

A third alternate development project was awarded funding at the February 3 quarterly commission meeting. Funds were awarded to the Anaqua House in Refugio.

Staff is developing and executing subgrant funding agreements for those projects with environmental approvals and continuing to complete these reviews and approvals for the remaining projects. Reimbursement requests are also being reviewed, including six completed development (construction) projects and four planning projects.

PRESERVATION TAX CREDITS

The tax credit program remains remarkably busy as construction and design planning continues across the state. During this quarter, the **Texas Historic Preservation Tax Credit** (THPTC) program received 9 Part A, 10 Part B, 10 Part B amendments, 10 Part C, and 1 Part C amendment applications.

Certificates of Eligibility were issued for 21 completed projects in Austin, Brownwood, Dallas, Denton, El Paso, Houston, and San Antonio. (see Highlights for newly certified projects). Qualified expenses for these projects total nearly **\$564** million. A total of 285 projects have been certified since the beginning of the program, with qualified expenses of over \$2.5 billion.

Certified state tax credit projects are now located in 50 cities across Texas, with two new cities represented in this quarter's projects including Brownwood, which has never previously had any federal tax credit projects.

For the **federal tax credit program**, staff received 7 Part 1, 9 Part 2, 6 Part 2 amendment, 7 Part 3, and 5 Part 3 amendment applications. Six projects were certified by the National Park Service (NPS) this quarter.

The largest tax credit project ever completed in Texas was certified this quarter by the NPS and THC. Now known as The National, the former First National Bank Tower/Elm Place has been featured in several publications, including *Texas Monthly* online. The 50-story tower combines hotel and apartments with retail and restaurant space.

Tax credit staff conducted three site visits this quarter. Completion walk-throughs were conducted in Medina (in Bandera County) and Fort Worth. Staff also traveled to Martindale to watch a large, brick structure be lifted for structural repairs.

The tax credit team has begun planning two virtual workshops aimed at preservation and architecture professionals in South Texas to foster more successful projects from a region where few certified projects have originated.

COURTHOUSE PRESERVATION

The 2021 **Courthouse Cornerstones** has been released, with digital copies available on the THC website and printed copies being distributed to members of the Texas Legislature. This biennium's publication features a story about the courthouse grant program's contribution to rural revitalization, interviews with county judges about their experiences with the grant program, and a human-interest story about the reopening of the historic Floyd Quarry in North Texas, which supplied limestone for the masonry restoration of two grant-funded courthouses.

Late at night on February 4, an arsonist set fire to the 1910 **Mason County Courthouse** in Mason. The county moved out of the building in January in preparation for the Round XI-funded restoration. Left behind were all the building's historic furnishings and a single smoke detector on the second floor that alerted the local fire department. Despite a rapid response, regional fire departments were only able to save the load-bearing sandstone walls, one vault door, a few ornamental cast-iron fireplace covers, some ceramic tile, and a handful of windows. Before the fire, the building's historic features were nearly all intact, including original windows, doors, hardware, light fixtures, hand-painted vault doors, tile and wood flooring, pressed metal ceilings, carved wood features throughout, and a dozen decorative cast-iron fireplace covers and ceramic tile hearths. The structural engineer has determined the building's many chimneys must be dismantled and rebuilt due to instability, but that the thick masonry walls can remain. Artifacts are currently being sorted from the

wreckage. Once the debris removal is complete, the structural engineer will undertake a more thorough assessment to determine if the concrete floor structure can be salvaged. Currently, the cost estimate to reconstruct and restore the building is nearly \$20 million. The county expects to receive \$6 million through insurance coverage to augment the THC's Round XI restoration grant of \$4.1 million. Judge Bearden sent a letter to members of the Legislature and the Governor requesting \$10 million from the 87th Legislature.

Texas Historic Courthouse Preservation Program Construction Projects

The restoration of interior millwork, finishes, and furnishings are nearly complete at the **Falls County Courthouse** in Marlin. The mock-ups have been approved for historic light fixture replication and terrazzo flooring, as well as the unique finish of cerusing, or "limed finish," for replication in the county courtroom. The scaffolding is being dismantled to reveal a fully restored exterior with masonry cleaning and window rehabilitation completed. A spring rededication is anticipated.

The restoration of the **Fannin County Courthouse** in Bonham is nearly halfway complete. Over 350 tons of limestone was quarried to replicate missing limestone on the facade. Eight-ton blocks are being cut into smaller blocks, with ornamental blocks being hand-carved at a nearby warehouse. Steel erectors are placing steel beams and trusses to support the new clock tower which should be erected in May. Roofing reconstruction has allowed replica pressed-metal shingle installation to begin. As the exterior shell is enclosed with replacement windows, contractors have begun work on replacing mechanical systems and restoring interior finishes such as plaster. Project completion should take place this winter.

Replacement of two concrete grand entry staircases is underway, along with interior finishes, at the **Lipscomb County Courthouse** in Lipscomb. Rededication is set for Saturday, July 3.

Minor repairs, hardware installation and the final clean-up, including terrazzo floor polishing, are all that remain to complete the restoration of the **Marion County Courthouse** in Jefferson. The county has moved back into the building, with rededication expected by May.

Status Report for Round IX Full Restoration and Emergency Grant Projects

4/6/2021

County	Reviewer	Grant Award & Balance	Construction							Post-Construction						Architect	Contractor	Status Notes
			NTP Bid	SAL Permit	Bid Period Start	Const Contract	NTP Contract	Construction Start	Work In Progress	Close Out Docs	Insurance	Completion Report	Substantial Completion	Project Completion	Rededication			
Cameron Emergency Construction	Tania Salgado	\$450,000.00 \$0	■	■	12/04/2016	■	■	7/26/2018	□	□	■	□	3/29/2019	5/1/2019	N/A	Ford, Powell & Carson, Inc.	SpawGlass	Complete.
Fannin Full Restoration	James Malanaphy	\$5,600,000.00 \$4,767,470.00	■	□	01/01/2018	■	■	4/1/2018	■	□	□	□	10/1/2021	11/1/2021	TBD	ArchiTexas Dallas	Phoneix 1	The restoration is presently 50% complete as of March 2021. Over 350 tons of limestone was quarried to replicate missing cut/carved limestone on the facade. Steel beams and trusses to support the new clock tower being installed. Roof framing is complete and decking is ready to be laid. Utilities are being routed on the interior. Clock tower to be erected in June 2021.
Hunt Planning	James Malanaphy	\$646,401.80 \$0.00	N/A	□	N/A	N/A	N/A	N/A	□	□	■	■	N/A	1/4/2018	N/A	ArchiTexas Dallas	N/A	Complete
Karnes Full Restoration	Tanis Salgado	\$4,093,559.00 \$0.00	■	■	10/14/2015	■	■	11/1/2015	■	■	■	■	1/29/2018	3/2/2018	4/7/2018	Fisher-Heck Architects	MJ Boyle	Complete.
Kleberg Emergency Construction	Tania Salgado	\$450,000.00 \$45,000.00	■	■	N/A	■	■	1/29/2018	□	□	□	□	4/8/2019	5/8/2019	N/A	Komatsu Architecture	JC Stoddard Construction	Awaiting Completion Report.
Lynn Full Restoration	Eva Osborne	\$5,149,905.00 \$348,264.00	■	■	12/01/2016	■	■	5/1/2017	■	□	□	□	10/1/2019	2/1/2019	7/20/2020	Komatsu Architecture	JC Stoddard Construction	Completion Report Under Review
San Saba Full Restoration	Eva Osborne	\$4,911,105.00 \$0.00	■	■	08/25/2017	■	■	12/8/2017	■	□	□	□	10/1/2019	11/1/2019	3/4/2020	ArchiTexas Austin	JC Stoddard Construction	Complete.
Willacy Emergency Construction	Tania Salgado	\$402,970.00 \$402,970.00	□	□	03/01/2020	□	□	TBD	■	□	□	□	3/15/2021	TBD	N/A	Limbacher & Godfrey		Hazardous materials abatement underway. Architect to meet with reviewer and MEP engineer regarding the incompatibility of dehumidification equipment with the building's electrical system.

Count: 8

Total Funds Awarded:
\$21,703,940.80

Funds Remaining:
\$5,608,704.00

Status Report for Round X Full Restoration and Emergency Grant Projects

4/6/2021

County & Round	Reviewer	Grant Award & Balance	Pre-Construction				Construction							Post- Construction			Architect	Contractor	Status Notes
			Funding Agree	Easement	Arch Contract	Construct Docs	NTP Bid	SAL Permit	Bid Period Start	Const Contract	NTP Contract	Construct Start	Work In Progress	Substantial Completion	Project Completion	Rededication			
Camp Emergency Construction	James Malanaphy	\$417,576.00 \$41,758.00	■	■	■	□	■	□	12/12/2019	■	□	TBD	■	12/15/2020	1/15/2021	N/A	Komatsu Architecture	Joe R. Jones Construction	Received certificate of substantial completion. Awaiting completion report.
Falls Full Restoration	Greta Wilhelm	\$5,832,430.00 \$922,659.00	■	■	■	■	■	■	06/01/2019	■	■	12/9/2019	■	TBD	4/1/2021	TBD	Komatsu Architecture	Stoddard Construction Management	Exterior restoration nearing completion. Permanent building power anticipated in March. Interior finishes ongoing, including plaster and millwork restoration.
Goliad Emergency Construction	Tania Salgado	\$205,995.00 \$155,222.00	■	□	■	■	■	■	10/10/2018	■	■	1/9/2019	□	11/22/2019	11/22/2019	N/A	Wiss Janney Elstner Associates Inc	Phoenix 1	Completion Report Under Review
Kimble Emergency Construction	Tania Salgado	\$318,176.00 \$318,176.00	■	■	■	■	■	N/A	11/30/2018	■	■	7/1/2019	□	4/2/2020	5/15/2020	N/A	Hutson Gallagher	Joe R. Jones Construction	Complete. Awaiting final reimbursement request.
Lee Emergency Planning	Greta Wilhelm	\$44,170.00 \$1,190.00	■	N/A	■	□	N/A	N/A	N/A	N/A	N/A	N/A	■	N/A	N/A	N/A	Sparks Engineering	N/A	Complete. Awaiting final reimbursement request and completion documents.
Limestone Emergency Construction	Greta Wilhelm	\$438,854.00 \$431,579.00	■	□	■	□	■	□	11/09/2020	□	□	3/15/2021	□		8/1/2021	N/A	Komatsu Architecture		Preconstruction conference held 3/8/2021. Site documentation and stone survey scheduled for week of 3/15/2021.
Lipscomb Full Restoration	Eva Osborne	\$4,937,006.00 \$2,000,000.00	■	□	■	■	■	■	09/14/2018	■	■	1/9/2020	□	4/30/2021	5/30/2021	7/3/2021	Arthur Weinman	Premier Metalwerks	Exterior metal cornice damage discovered, repairs in process. Replacement of two concrete grand entry staircases recently approved and in process. Interior finishes in process. Rededication date July 3, 2021
Marion Full Restoration	James Malanaphy	\$4,682,610.00 \$547,126.00	■	■	■	■	■	■	09/01/2018	■	■	10/1/2018	■	1/15/2021	2/15/2021	5/1/2021	Komatsu Architecture	Joe R. Jones Construction	The courthouse restoration is 99% complete. Final clean up and minor repairs remain to be completed; terrazzo flooring polishing, missing door hardware, and site drainage issues.
Menard Full Restoration	Eva Osborne	\$1,382,388.16 \$200,945.00	■	■	■	■	■	■	03/29/2019	■	■	8/1/2019	■	11/23/2020	11/23/2020	TBD	Stan Klein Architect, LLC	JC Stoddard Construction	Mechanical equipment isolated to improve acoustics. Elevator installed, with approved Inspection Report. Jail being restored as offices with a single cell preserved. Punch list complete. Locksmith will finalize remaining work this week. Work complete. Completion Report
Milam Emergency Construction	Greta Wilhelm	\$60,012.00 \$0	■	■	■	■	■	■	04/01/2019	■	■	8/15/2019	□	N/A	12/1/2019	N/A	ArchiTexas Austin	MRI Builders	Complete.

Count: 10

Total Funds Awarded:
\$23,665,090.16

Funds Remaining: \$4,678,667.00

Status Report for Round X Planning Grant Projects

4/6/2021

County	Round	Reviewer	Grant Award	Remaining	Agreement	Contract	Schematic Design	65%	95%	Architect	Contact
Callahan	10p	Eva Osborne	\$ 865,109.00	\$ -	■	■	■	■	■	Komatsu Architecture	Rick Sacy
Polk	10p	Greta Wilhelm	\$ 736,638.00	\$ 71,073.00	■	■	■	■	■	Komatsu Architecture	Karl Komatsu
Van Zandt	10p	James Malanaphy	\$ 423,572.00	\$ -	■	■	■	■	■	Barham & Associates	Michael Barham

Count: 3

Total Funds \$2,025,319.00

Funds Remaining: \$71,073.00

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Round X Master Plan Update Status Report

2/1/2021

County	Round	Reviewer	Grant Award	Remaining	Agreement	Contract	Schematic	Design	65%	95%	Architect	Contact	Notes
Bandera	10MP	Tania Salgado	\$50000.00	\$50000.00	■	■	■	■	■	□	ArchiTexas Austin	Stan Graves	Comments provided on 95% submission. Awaiting final submittal.
Bell	10MP	James Malanaphy	\$22500.00	\$22500.00	■	■	■	■	■	■	EIKON Consulting Group	Michael Tubiolo	Final reimbursement request received and approved for payment, March 19, 2021.
Blanco	10MP	Greta Wilhelm	\$50000.00	\$50000.00	■	■	■	■	□	□	Hutson Gallagher	Chris Hutson	Awaiting 65% submission. Hutson Gallagher is setting up a meeting with the County to present options of the courtroom and will then be able to make a submission soon after. Target completion: 6/30/21
Burnet	10MP	Greta Wilhelm	\$44900.00	\$44900.00	■	■	■	■	■	■	ArchiTexas Austin	Larry Irsik	Awaiting FINAL Reimbursement Request
Chambers	10MP	Greta Wilhelm	\$50000.00	\$0.00	■	■	■	■	■	■	ArchiTexas Dallas	Jay Firsching	COMPLETE
Clay	10MP	Eva Osborne	\$50000.00	\$0.00	■	■	■	■	■	■	Harper Perkins	Charles F. Harper	COMPLETE
Coleman	10MP	Eva Osborne	\$50000.00	\$0.00	■	■	■	■	■	■	ArchiTexas Austin	Larry Irsik	COMPLETE
Collin	10MP	James Malanaphy	\$44000.00	\$0.00	■	■	■	■	■	■	ArchiTexas Dallas	David Chase	COMPLETE
Duval	10MP	Tania Salgado	\$50000.00	\$50000.00	■	■	■	■	■	■	ArchiTexas Austin	Stan Graves	Final Draft under review
Frio	10MP	Tania Salgado	\$50000.00	\$50000.00	■	■	■	■	■	□	ArchiTexas Austin	Stan Graves	Awaiting FINAL Draft Submittal
Grayson	10MP	James Malanaphy	\$50000.00	\$0.00	■	■	■	■	■	■	ArchiTexas Dallas	David Chase	COMPLETE
Hall	10MP	Eva Osborne	\$46655.00	\$0.00	■	■	■	■	■	■	Arthur Weinman	Arthur Weinman	COMPLETE
Hutchinson	10MP	Eva Osborne	\$50000.00	\$0.00	■	■	■	■	■	■	Barham & Associates	Michael Barham	COMPLETE
Jefferson	10MP	Greta Wilhelm	\$50000.00	\$0.00	■	■	■	■	■	■	LaBiche Architectural	Dohn LaBiche	COMPLETE
Kimble	10MP	Tania Salgado	\$45625.00	\$0.00	■	■	■	■	■	■	Hutson Gallagher	Chris Hutson	COMPLETE
Kleberg	10MP	Tania Salgado	\$49500.00	\$49500.00	■	■	■	■	□	□	Komatsu Architecture	Charlie Kearns	65% submitted 8/24/2020 and awaiting Tania's review.
Limestone	10MP	Greta Wilhelm	\$43000.00	\$43000.00	■	■	■	■	■	□	Komatsu Architecture	Charlie Kearns	"95%" submission received, and review is in progress. I will complete by 2/12. There was not a 65% submission and I anticipate that edits will be needed. Target completion: 4/30/21
Mason	10MP	Eva Osborne	\$50000.00	\$0.00	■	■	■	■	■	■	ArchiTexas Austin	Stan Graves	COMPLETE
McLennan	10MP	James Malanaphy	\$44900.00	\$44900.00	■	■	■	■	■	■	ArchiTexas Dallas	David Chase	95% draft submittal received 2/24/2021
Randall	10MP	Eva Osborne	\$50000.00	\$50000.00	□	■	□	□	□	□	Hutson Gallagher	Chris Hutson	New County Judge just appointed. Will meet with Hutson Gallagher to discuss path forward. On hold.
Robertson	10MP	Greta Wilhelm	\$40000.00	\$40000.00	■	■	■	■	■	■	ArchiTexas Dallas	Jay Firsching	95% DRAFT being received 2/15/2021
Taylor	10MP	Eva Osborne	\$20000.00	\$0.00	■	■	■	■	■	■	ArchiTexas Austin	Stan Graves	COMPLETE
Upshur	10MP	James Malanaphy	\$50000.00	\$0.00	■	■	■	■	■	■	Komatsu Architecture	Gordon Marchant	COMPLETE
Willacy	10MP	Tania Salgado	\$50000.00	\$50000.00	■	■	■	■	□	□	Limbacher & Godfrey	Laurie Limbacher	95% submitted on 11/11/2020 but Tania perceives it to be 75%. Still awaiting Tania's comments.
Wise	10MP	James Malanaphy	\$50000.00	\$0.00	■	■	■	■	■	■	Komatsu Architecture	Gordon Marchant	COMPLETE

Count: 25

Awarded: \$1,151,080.00

Status Report for Round XI Full Restoration and Emergency Grant Projects

4/6/2021

County & Round	Pre-Construction							Construction						Post-Construction						
	Reviewer	Grant Award & Balance	Ack Form	Funding Agreement	Easement	Architect Contract	Construct Documents	NTP Bid	SAL Permit	Bid Period Start	Const Contract	NTP Contract	Construct Start	Work In Progress	Substantial Completion	Project Completion	Rededication	Architect	Contractor	Status Notes
Callahan 11 Full Restoration	Eva Osborne	\$4,684,891.00 \$4,684,891.00	■	■	■	■	□	□	□	6/1/2021	□	□	7/1/2021	□	4/1/2023	4/1/2023	TBD	Komatsu Architecture		Planning Grant completed. County employees preparing to evacuate courthouse prior to construction. Rehab
Duval 11 Emergency Construction	Tania Salgado	\$921,094.00 \$921,094.00	□	■	■	□	■	■	□		□	□		■			N/A	Architexas (Austin)		CD's under reviewed only minor comments. NTP to Bid on 03/12/2021
Lee 11 Emergency Construction	Greta Wilhelm	\$1,970,149.00 \$1,970,149.00	□	■	■	□	□	□	□		□	□		□			N/A	Hutson Gallagher		Easement executed. 50% construction documents anticipated by 3/29/2021.
Mason 11 Full Restoration	Greta Wilhelm	\$4,140,119.00 \$4,056,468.00	□	■	■	□	□	□	□		□	□		□			TBD	Architexas (Austin)		SAL permit submitted for debris removal, stabilization, and temporary protection. Further structural and architectural assessment to follow stabilization.
Polk 11 Full Restoration	Greta Wilhelm	\$3,000,000.00 \$3,000,000.00	■	■	□	□	■	□	□		□	□		□			TBD			Funding agreement and easement pending submission of attachments. Grant kickoff meeting scheduled for March 24, 2021.
Taylor 11 Full Restoration	Eva Osborne	\$5,980,000.00 \$5,980,000.00	□	■	■	■	□	■	■	1/5/2021	□	□	4/22/2021	□	8/17/2023	8/17/2023	TBD	Architexas (Austin)		Pre-bid Walk-through January 21, 2021 for Phase 1, Selective Demolition. AML selected by Commissioner's Court. Contracts being prepared. Pre-Construction Meeting April 7, 2021.

Count: 7

Total Funds Awarded: \$21,074,742

Funds Remaining: \$20,991,091

Status Report for Round XI Planning Grant Projects

County	Reviewer	Grant Award	Remaining	Funding Agreement	Easement	Contract	Schematic	Design	65%	95%	Architect
Kimble 11 Planning	Tania Salgado	\$ 378,489.00	\$ 378,489.00	■	□	□	□	□	□	□	Hutson Gallagher
Washington 11 Planning	Greta Wilhelm	\$ 713,130.00	\$ 713,130.00	■	■	□	□	□	□	□	Architexas (Austin)
Willacy 11 Planning	Tania Salgado	\$ 803,359.00	\$ 803,359.00	■	■	□	□	□	□	□	Limbacher & Godfrey Architects
Wise 11 Planning	James Malanaphy	\$ 787,753.00	\$ 787,753.00	■	□	□	□	□	□	□	Komatsu Architecture

Count:

9

Total Funds Awarded:
\$20,038,121.00

Funds Remaining:
\$20,038,121.00

Count: 4

Total Funds Awarded: \$2,682,731.00

Funds Remaining: \$2,682,731.00

Count:

9

Total Funds Awarded:
\$20,038,121.00

Funds Remaining:
\$20,038,121.00

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



1503 Parkway 1936 Austin • Travis County • Texas

History

The Old West Austin Historic District is the largest National Register district in Texas, encompassing a total of 2500 buildings. It stretches across three main residential neighborhoods: Bryker Woods, Pemberton Heights, and Old Enfield. The houses contributing to the significance of the district span from the 1800s through the 1950s, with the majority dating from the 1930s and the 1940s. This Colonial-Revival style house at 1503 Parkway was constructed in 1936 for its original resident, Robert E. Moore, a clerk for the Court of Civil Appeals. It was a single-family residence until 1961, when it was subdivided into two apartments. The rear garage building also has a small apartment on the second floor, which was created in the 1940s within the historic period.

Rehabilitation Project

The work performed at this property included a full-scale rehabilitation of the main house as well as interior improvements to the detached garage apartment. The main house was converted back into a single-family residence and given a full interior makeover—historic features such as the floor plan, the hardwood floors, trim, windows and doors were retained, while systems were upgraded and the kitchens and baths were revitalized with new finishes. The most significant intervention was that the entire house was raised by six feet to counteract the ongoing flooding problems posed by neighboring Shoal Creek, which had engulfed the low-lying house at least six times in recent memory. Elevation of buildings is typically hard to achieve while still meeting the Standards for Rehabilitation in the tax credit program. In this case, the house was fortuitously set in a hollow below the road level, and applicants coordinated extensively with THC and NPS on a landscaping plan, including significant backfill, that masks most of the change in level.

DESIGNATION: Listed in National Register of Historic Places as part of Old West Austin Historic District

HISTORIC USE: Residential

CURRENT USE: Residential

CERTIFIED: January 15, 2021

CONTACT: Karan Kapadia; Post Oak Preservation Solutions

Also certified for federal tax credits.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



1512 Elm Street c.1915 Dallas • Dallas County • Texas

History

This building is an early twentieth-century survivor in the heart of downtown Dallas. Property maps from the 1920s show the majority of the surrounding city blocks composed of three-story brick buildings just like this one, with mercantile spaces on the first floor and offices or residential above. Most of the others have been lost over time, and this one could have met the same fate. After a series of retail tenants, this building was most recently a beauty supply shop, which had gone out of business and left the building vacant before this rehabilitation project. The historic storefronts had been removed, and the first two stories of the façade had been entirely covered with a solid panel of black tiles. Despite these changes, the building was found to contribute to the Downtown Dallas Historic District.

Rehabilitation Project

The building at 1512 Elm Street is the west end of the Mid-Elm Lofts, a development project that interconnects three adjacent former retail buildings along Elm Street (left to right: the W.A. Green Building, the Singer Building, and 1512 Elm Street). The 1512 Elm Street building now contains five loft apartments. The fifth apartment is housed in a rooftop penthouse. Although it is unusual to see rooftop additions on low-rise buildings approved as part of the tax credit program, this one was approved once it was demonstrated it could be sufficiently set back in this urban setting to be invisible from the street level. The ground floor retail space that currently houses a branch of the local favorite pub, City Tavern. The original storefront was lost, but the developers worked to create a new simple storefront that is compatible with the building.

DESIGNATION: Listed in National Register of Historic Places as part of Dallas Downtown Historic District

HISTORIC USE: Retail and commercial space

CURRENT USE: Retail and residential

CERTIFIED: January 26, 2021

CONTACT: Brytar, Inc; Azteca Enterprises, Inc.; Architexas

Also certified for federal tax credits.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



Baker School 1911 Austin • Travis County • Texas

History

Baker School was built to serve as an educational facility for the Hyde Park neighborhood north of downtown Austin. Named for Dewitt Clinton Baker, who worked to establish the public school system in Austin, it is a surviving example of neoclassical institutional architecture and sits prominently on a whole city block. After finding its size insufficient to serve its needs, the school was expanded in 1924, 1939, and 1958 and now has a footprint over double the size of the original construction. Eventually new facilities were built elsewhere and Baker School was closed, laying vacant.

Rehabilitation Project

Due to its institutional use as a school, the building was well maintained until it became vacant. Alterations had been made over time to fit new services. For example, mechanical systems were not included in the original construction and had been added at a later time. Drop ceilings were removed to expose original hallway ceilings. Classrooms, many of which retained their blackboards and historic wainscotting, were cleaned and repaired where needed. These now serve as offices for tenants, and some of the larger spaces such as the original cafeteria are meeting spaces. Windows were retained and repaired where needed, saving the original wood windows that offer a skyline view of downtown Austin.

DESIGNATION: Individually listed in the National Register of Historic Places

HISTORIC USE: School

CURRENT USE: Office space

CERTIFIED: January 26, 2021

CONTACT: Alamo Drafthouse Cinemas, Weiss Architecture

Also certified for federal tax credits.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



City National Bank Building 1947 Houston • Harris County • Texas

History

Although Alfred C. Finn designed this high-rise in 1939, its construction was delayed nearly ten years by World War II. After the war, the plans were dusted off and the building was constructed according to the earlier design. Its grand opening was held in October 1947, making the City National Bank Building the first high-rise office building constructed in downtown Houston after the Second World War. As the tower had been designed in the 1930s in a blend of the Art Deco and Art Moderne styles, it bears design elements such as stepped massing, vertical window channels, and decorative molded metal details that speak of an era much earlier than its actual construction.

Rehabilitation Project

This focused rehabilitation only addressed key portions of the building, sprucing up many of the public spaces including the main lobbies and elevator landings, upgrading the elevator systems, and repairing some of the upper roofs and historic windows. The south and west lobbies had been heavily altered over time, with only some historic finishes remaining, such as the windows and marble wall paneling. The generic, non-historic ceiling and wall materials were removed and replaced with new finishes. The designs for ceiling medallions and grillework inlays for the west lobby walls were simplified to ensure they were compatible with the building. The goal was to avoid these features being confused for historic fabric, while also giving a nod to the historic era of the building and providing visual interest. The neighboring first floor elevator lobby retains its original fluted plaster ceiling. Throughout the public spaces, the light fixtures were upgraded to provide more visual interest, and non-historic floor materials were replaced with stone to be more in keeping with the rest of the building.

DESIGNATION: Listed individually in the National Register of Historic Places

HISTORIC USE: Offices

CURRENT USE: Offices and retail

CERTIFIED: March 23, 2020

CONTACT: TRC Capital Partners/McKinney CBD Houston LLC; SWCA Environmental Consultants

Also certified for federal tax credits.

For more info
www.thc.texas.gov/taxcreditprogram

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



Corrigan/Adolphus Tower 1955 Dallas • Dallas County • Texas

History

The Corrigan/Adolphus Tower was part of Downtown Dallas's midcentury boom, during which many early twentieth century buildings were replaced with modern towers. The Adolphus Tower was built by developer Leo Corrigan. Corrigan had properties across the country, though was based in Dallas and significantly shaped local real estate development and downtown. One of Corrigan's projects involved expansion of the Adolphus Hotel. The Adolphus Tower, built as leasable offices, is located next to the hotel, providing convenience for business travelers—this was advertised as a benefit to potential tenants of the office tower. The building has been altered overtime, but retains its basic, simple form.

Rehabilitation Project

The current rehabilitation project provided for new buildings systems and interior upgrades to attract new tenants to the tower. Minimal interior historic features remain due to past renovation projects, but elevator lobbies notably retained dramatic marble veneer walls—including the green marble in the ground floor lobby. New finishes were added to those spaces that emphasize the historic materials. Individual tenant spaces on each floor were also finished out, to suit tenant needs.

DESIGNATION: Listed in the National Register as contributing to the Dallas Downtown Historic District

HISTORIC USE: Offices, retail

CURRENT USE: Offices, retail

CERTIFIED: March 9, 2021

CONTACT: 1412 Main Street, LLC; MacRostie Historic Advisors; Q Architecture & Design; Pelican CM Concepts; Payver Developer LLC; Aire Design

Also certified for federal tax credits.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



Dalkowitz Building 1915 San Antonio • Bexar County • Texas

History

The Dalkowitz building was designed by local San Antonio architect M.J. Dielmann to house a dry goods and department store. It operated in this capacity by brothers Samuel and Solomon Dalkowitz until 1940, when the property was leased to the Kress Company, at which point it became a five and dime. This was the building's use until the company went out of business in 2001. The first floor continued to be various retail spaces, but the second-floor offices were no longer used and were left vacant until rehabilitation in 2019-2020. While not high style, the property contains some decorative features such as double pilasters and unique window panels.

Rehabilitation Project

Due to being vacant for several years, the second floor was in disrepair but largely maintained its historic integrity as office space. Some of the tenant spaces on the first floor are still occupied and will be rehabilitated in future phases of work. For the vacant tenant spaces, interior materials were cleaned and repaired as needed. New storefronts, which were compatible with the storefronts present during the building's period of significance, were installed to maximize light and display areas. New mechanical fixtures were installed throughout the building to bring it up to code, and a larger restroom area was built in the second-floor tenant space for modern office needs.

DESIGNATION: Listed in National Register of Historic Places as part of the Main and Military Plazas Historic District

HISTORIC USE: Retail

CURRENT USE: Retail & office space

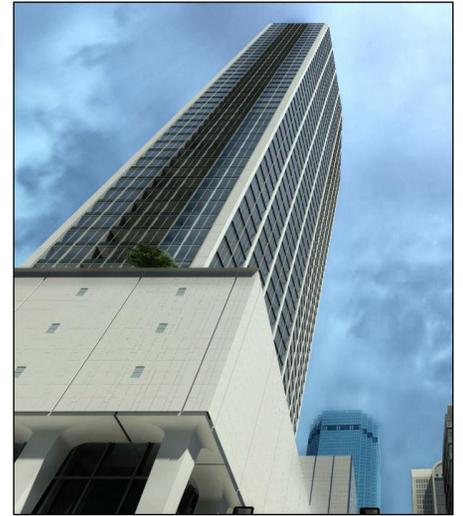
CERTIFIED: December 1, 2020

CONTACT: All Out of Bubblegum, LP; Fisher Heck Architects; Weston Urban, GW Mitchell Construction

Also certified for federal tax credits.

For more info
www.thc.texas.gov/taxcreditprogram

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



First National Bank Tower/Elm Place 1965 Dallas • Dallas County • Texas

History

Elm Place, as the building has been known locally, was built as a modern ode to the banking industry. Designed by George Dahl and Thomas Stanley, the tower is 52-stories (with two underground parking levels) and 1.5 million square feet, with a 2-acre footprint. The base of the building is clad in over 17,000 pieces of Greek marble and at the time of construction, the building used more teak than any other building in the world. The interior also features copious amounts of travertine and black granite. Its pinstripe tower lights were a fixture on the Dallas skyline until 2010 when the tower was closed due to waning occupancy rates as downtown Dallas declined.

Rehabilitation Project

Multiple developers attempted redevelopment of the building after its closure, undertaking abatement and early stages of construction. The completed project took several years and represents the largest historic tax credit project in the state. The building was fully rehabilitated for use as a luxury hotel and apartments with restaurant and retail spaces. Major public areas were restored to the extent possible, where historic materials had not been irreparably damaged in previous renovations. Windowless floors, which originally housed secure bank functions were converted to parking. Tower floors serve as apartments and hotel rooms. A new restaurant addition was built above the historic terrace. Another restaurant was inserted into the former double-height mechanical space on the 49th floor.

DESIGNATION: Individually listed in the National Register of Historic Places

HISTORIC USE: Bank headquarters, offices, retail

CURRENT USE: Hotel, apartments, restaurants, retail

CERTIFIED: March 2, 2021

CONTACT: MT Pentelicus Devco LLC; Todd Interests; Merriman Anderson Architects; Andres Construction

Also certified for federal tax credits.

For more info
www.thc.texas.gov/taxcreditprogram

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



Fairhaven Retirement Home 1965

Denton • Denton County • Texas

History

Fairhaven Retirement Home was a project led by the Denton Business and Professional Women's Club to provide a safe and comfortable living facility for local elderly, allowing them to remain in Denton. After several years of fundraising, the club purchased a wooded 3-acre property and later engaged the architectural firm Ford, Swank, and Laney. O'Neil Ford is perhaps Texas' most noted modern architect and was raised in Denton, making him an ideal architect for this forward-thinking project. Fundraising took 8 years and the home opened on Valentine's Day 1965. The simple, homey building has a H-shaped footprint, with two large courtyards, and numerous public rooms for communing and entertaining. Each residents' room has large windows to enjoy the natural landscape.

Rehabilitation Project

After several years of abandonment, Fairhaven was purchased for redevelopment—for continued use as an assisted living facility. The building's original layout required minimal alterations to meet modern needs and codes for a housing facility. Slight modifications to hallways were required and damaged aluminum windows were replaced, with special attention paid to ease of operations in case of emergency. A former mechanical space that is no longer needed was converted to an additional craft and lounge area. A beauty salon was also added. Despite the damages caused to the building by vandals, some notable modern features remained and were repaired, including exposed beams and a copper fireplace cover in the main lounge area, where a new coffee bar was built into a corner.

DESIGNATION: Individually listed in the National Register of Historic Places

HISTORIC USE: Retirement home

CURRENT USE: Retirement home

CERTIFIED: January 26, 2021

CONTACT: Newhaven Development of Denton, LLC; Pi Architects; Core Construction; Architexas

Also certified for federal tax credits.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS
HISTORICAL
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REAL PLACES TELLING REAL STORIES

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



Plaza Hotel 1930 El Paso • El Paso County • Texas

History

El Paso's Plaza Hotel, originally the Hilton Hotel, was built by Conrad Hilton just as the Great Depression began. It was one of his early hotels, before expanding his business outside of Texas. The building was designed by Trost and Trost, in their quintessential southwest-tinged Art Deco style. The hotel was popular among those visiting El Paso and was home to Elizabeth Taylor during her relationship with Conrad Hilton, Jr, and later, while on breaks from filming *Giant* in Marfa. The hotel operated as the Hilton until it was sold in 1963 and renamed the Plaza. The Plaza closed in 1991, when the building was abandoned.

Rehabilitation Project

Previous redevelopment attempts removed some noted original historic features of the building, leaving behind parts of the main bar, the decorative ballroom ceiling, decorative elevators, and other smaller features. The current rehabilitation embraced the remaining decorative elements and added creative new interventions to re-establish the Plaza as a place to see and be seen in downtown El Paso. Reconstructed stained-glass skylights and a new tequila feature wall join restored painted beams and light features to create a remarkable bar and restaurant, open fully to the public. Exterior storefronts are fully restored with shiny new copper awnings. Liz Taylor's former penthouse suite now houses a rooftop bar named for one of her jewels.

DESIGNATION: Listed in the National Register of Historic Places as part of the Commercial Structure of Henry C. Trost Multiple Property Listing

HISTORIC USE: Hotel

CURRENT USE: Hotel

CERTIFIED: January 25, 2021

CONTACT: Todd Interests; Merriman Anderson Architects; Andres Construction

Also certified for federal tax credits.

For more info
www.thc.texas.gov/taxcreditprogram

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



Grand Lodge of the Colored Knights of Pythias 1916

Dallas • Dallas County • Texas

History

The Pythian Temple is a monumental building in the Deep Ellum neighborhood of Dallas, representing significant achievements of African-Americans in Dallas and the state of Texas. The building was designed by noted African-American architect William Sydney Pittman, and not only provided a home for the Grand Lodge of Texas, but leased offices to many of Dallas' African-American businessmen and professionals. Among others, these included Texas' first Black dentist and surgeon. The 4th floor auditorium provided ceremonial spaces for the Lodge, but also meeting spaces for other organizations blocked by segregation elsewhere in the city. The Lodge faltered during the Great Depression and ultimately closed in the 1940s. The building became the home of Union Bankers in 1959, which occupied the property until the mid-1990s, after which it was abandoned.

Rehabilitation Project

The interior of the building had been gutted in previous renovations, another floor added to the auditorium, and the exterior was altered and painted. As part of the conversion of the building to a hotel, the exterior was fully restored with new stone work to match historic photos, new custom windows, and cleaned masonry. The auditorium space was reopened, the ground floor converted to a restaurant, and hotel rooms built on the middle two floors. Due to the urban setting, a large addition was built to the rear, to accommodate additional hotel rooms and a new lobby.

DESIGNATION: Individually listed in the National Register of Historic Places

HISTORIC USE: Retail, offices, fraternal hall

CURRENT USE: Hotel, restaurant, event venue

CERTIFIED: January 25, 2021

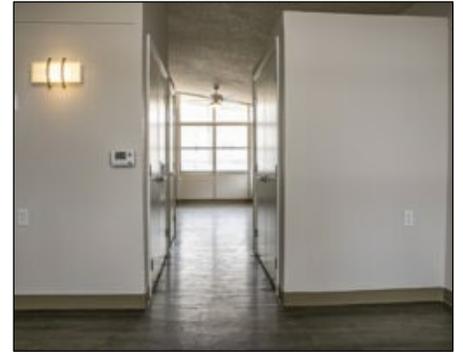
CONTACT: Kimpton Pittman; Westdale Properties America, Inc; Perkins + Will; Skotnocki Studio; Balfour Beatty Construction

Also certified for federal tax credits.

For more info

www.thc.texas.gov/taxcreditprogram

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



Sun Plaza 1966 El Paso • El Paso County • Texas

History

Sun Plaza is a modern public housing complex situated within the much older Magoffin Historic District of El Paso, where many single-family homes date to the turn of the twentieth century. Just outside of downtown, the neighborhood was significantly impacted by federal highway construction and Urban Renewal improvements in the 1950s and 1960s. Large portions of El Paso neighborhoods were bulldozed in the name of freeway expansion or ‘blight clearance.’ This increased pressure on already overloaded housing in areas adjacent to vital services, especially for displaced seniors. Sun Plaza was developed out of this need. Fifty houses in the Magoffin neighborhood were torn down to clear 10 acres for the development of 330 units of housing for low-income seniors. The development included a 9-story tower and 22 cottage buildings, each composed of multiple bungalow units. The cottage buildings are built of varying colors of brick to increase the feel of neighborhood variety. Although the complex has a distinctly different feel from the rest of the district, it has become an important part of local history.

Rehabilitation Project

Sun Plaza has been continuously occupied and managed by the local housing authority. This rehabilitation project was undertaken through a public-private partnership program designed by HUD. MEP and other building systems were thoroughly updated throughout all buildings, to increase comfort, efficiency, and safety. Finishes were also updated throughout, though floor plans in the vast majority of units were unchanged. The tower building was repainted with a modern color scheme. Inside the tower, hidden mid-mod features like a brise soleil wall were uncovered and exposed.

DESIGNATION: Listed in the National Register of Historic Places as part of the Magoffin Historic District

HISTORIC USE: Public housing

CURRENT USE: Public housing

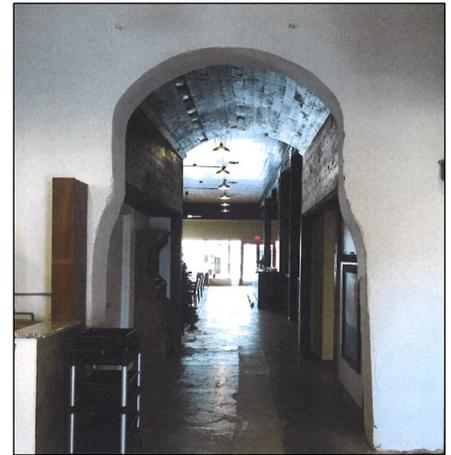
CERTIFIED: January 26, 2021

CONTACT: Housing Authority of the City of El Paso; ITEX; Heritage Consulting Group; Sundt

Also certified for federal tax credits.

For more info
www.thc.texas.gov/taxcreditprogram

TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM



Weakley Watson Building 1888, 1946 Brownwood • Brown County • Texas

History

The Weakley-Watson Building was constructed in 1888 as the Hurlbut Hardware Company. At construction, the building featured exposed brick with a heavy metal cornice, pointed metal window hoods, and traditional wood storefronts. The Weakley-Watson Company began renting a portion of the building in 1909, taking over the entire property by 1915 as business succeeded and expanded. The property includes the storefront buildings, with mezzanines and second floors, and various sheds to the rear and side, which were used for lumber and other goods. The exterior of the building was renovated in 1946, to reflect a more modern, streamlined style—windows were reduced in size, storefront replaced with metal-framed systems, cornices were removed, and masonry walls were stuccoed. The interior was not remodeled and retains some of its original features. The Weakley-Watson Company operated until 2014, at which time the building was closed and sold.

Rehabilitation Project

Using the historic tax credits, the Weakley Watson Building was rehabilitated for use as a brewery, bar, and restaurant. The building required minimal work, much of which included removal of later, non-historic store displays from interior walls to expose historic finishes. Minor structural work has been undertaken. The streamline exterior was retained, reflecting the long-period of significance for the Weakley-Watson Company's use of the building. In the future, a remaining lumber shed will be converted for use as an outdoor bier garden.

DESIGNATION: Individually listed in the National Register of Historic Places

HISTORIC USE: Hardware store

CURRENT USE: Brewery and restaurant

CERTIFIED: December 11, 2020

CONTACT: PBE RE LLC; Post Oak Preservation Solutions; Swan Engineering; Parks Engineering; Gyomos LLC

Also certified for federal tax credits.

For more info
www.thc.texas.gov/taxcreditprogram

HERMAN: COURTHOUSE FIRE IS A BIG LOSS FOR A SMALL TOWN

Ken Herman, Austin American-Statesman



Jeff Durst

Originally published in the Austin American-Statesman. Used with permission.

MASON — There's something special about old county courthouses. A something so special that it makes old county courthouse fires so horrific, so emotionally draining. And, in the case of the Mason County Courthouse, so hard to explain.

Mason is a town of about 2,100 people. Mason County has about 4,300. It's about 100 miles west of Austin and, to some, somewhere on the other side of one of Texas' ill-defined boundaries, this one the one that divides Central Texas from West Texas.

As in many small towns, the courthouse is the center of things, geographically and otherwise. Mason County's wonderful courthouse was built in 1909. On the night of Feb. 4, it caught fire, or, it seems, was set afire.

The town has a vibrant courthouse square, modern but still small-town enough to have death notices clipped to front doors. COVID-19 has taken

a toll here. Lots of stores are open, but the marquee on the historic, restored Odeon theater reads: "We'll be back! Eventually."

At Market Square, the courthouse square store she's run for 29 years, former Austinite Wendy Hudson has been looking at the old courthouse for many years. Somehow, all was well — or at least better — whenever she saw it. "I looked out the door every day just to get sort of peace," she said. "It was so peaceful."

Hudson lives nearby and somehow slept through the sirens that filled the square sometime after the fire broke out late on the night of Feb. 4. The next morning, she saw the charred and ruined building. "I just started crying," she told me. "It just was a heartbreak."

"Oh gosh. You can't imagine how many people love this town and love that courthouse," she said, adding she'd heard from an Austin friend who said his great-grandparents were married there.

Her son Treg Hudson is a local justice of the peace and, until the courthouse recently was cleared out for a major

renovation, he had an office there and sometimes she'd pop in to see him. "It was so unnecessary," she said of the fire. "It's going to bother me till it's fixed."

Word spread quickly in the small town, both about the fire and who started it.

"We pretty much knew who had done it, and the pieces fell in place fast because we have a fabulous sheriff," Hudson said, filling in some details on what folks here seem to know.

A few doors down at the Commercial Bank, Curtis Donaldson, a vice president, was busy raising money — including \$100,000 from his bank — for the courthouse rehab or replacement. "There's my office," he told me, pointing to a corner office with courthouse-facing windows. "So you see my view."

"I looked at it pretty much every day," Donaldson said of the courthouse. "I'd stare at it a few days. But I looked at it every day."

In the early morning hours of the night of the fire, Donaldson headed



downtown from his home 8 miles away. By then, local firefighters and those from nearby towns had done what they could and the stunned locals were left to ponder. Donaldson connected with Mason County Judge Jerry Bearden: “It was just he and I. So we kind of had a moment, visited about it and hugged.”

The small-town banker and the small-county judge. Predawn, hugging as their beloved courthouse, the anchor of their community, smoldered.

“I could see the resilience in his eyes to rebuild,” Donaldson recalled. “And that’s kind of what I needed to see. It helped me to visit with him. I think I helped him, too, but I think it helped me more to see ... that resiliency in his face and that we’re going to get this thing done.”

Like lots of folks, he has heard talk of the motive.

“It’s not really anything I can comprehend,” Donaldson said. “From what I’ve understood, there was a lot of support and a support system in place for this young man.”

Brent and Monica Hinckley were in the bank. They’re the only people who live on the courthouse square, have done so for 25 years in an apartment at what’s now their Red Door B&B

Inn. He served 15 years as mayor until retiring last November.

“That’s my front yard,” he said of the courthouse, adding that guests always “love sitting on the balcony in good weather and just looking at this courthouse.”

From their website: “Come sit on the porch, soak in the historic square, and let your cares melt away.”

On Feb. 4, a late-night phone call alerted them there was a fire. “It was just a gut punch,” he said. “I sat on the balcony till 2 o’clock in the morning just watching. The firefighters did all they could, but it was a totally helpless feeling.”

“I sit on the balcony now with the same feeling ... as in church when my 100-year-old grandmother was dead in the casket,” he said. “You’re looking and you know that it’s going to be OK. But you’re just devastated at that moment.”

Moments earlier in the bank, Brent Hinckley, as president of a community foundation, had brought a \$20,000 check from money raised at its nearby store on the square. The ex-mayor has a degree in architecture, and his wife has one in electrical engineering. So they know something about the challenge ahead.

“If they can salvage the walls, then a lot is very possible,” he said. “The real issue is the mortar between the stones. The mortar there crumbles in heat and water. And without that mortar, the structure is not sound.”

I asked if they knew the guy who folks say set the fire.

“He was in my son’s class in high school,” Monica said.

Later Monday, Bearden, the county judge, toured the building with investigators. Afterward, we headed across the street to the temporary office into which he moved in December after the courthouse was closed to prepare for the major renovation planned long before the fire.

He’s in his 19th year as county judge after 32 years teaching at Mason High School. His longtime office was in the northwest corner of the old courthouse. As the local emergency management coordinator, he gets notices of all the fire and EMS calls. Late on Feb. 4, he got one about a house fire, which investigators now believe was ignited by the same man suspected in connection with the courthouse blaze.

“But they didn’t ask me to come and see” the house fire, Bearden said. “So

I figured we were OK. And that's a few blocks from here. And then, less than eight minutes later, I got another call from the dispatch at the sheriff's telling me, 'Judge, the courthouse is on fire.' This was about 10:15. So I jump up, put my boots on, (get) into the pickup. Run people off the road nearby. Parked on the north side."

Bearden made sure the electricity was cut off. Did everything he could, which was not much other than watch the flames. "I guess the hardest thing for me to take was my office in the northwest corner was the last office in that building to catch on fire," he said. "And I had to sit there and watch my desk and other things burn up."

The only positive, if any, was that the building, save for some furnishings, had been emptied for the renovation. No records were lost. No lives were lost. No injuries. Just a building. Just a building that's a big loss for a small town.

Bearden told me how, by mistake, he'd left one fire alarm in the

courthouse when he was supposed to have taken all of them to the temporary building. New ones were to be put in the courthouse.

"And that was the alarm that went off," he said. "I left it right there where the fire started. But, Ken, it was like losing, and it still is, like losing a member of your family. That courthouse is the center of this community."

There's insurance to be sorted out, but, Bearden said, "Everybody knows you never really insure a historical building at its replacement value. You can't afford that." The original cost of the courthouse: \$39,786.

The finances are to be determined, but any and all help will be appreciated. "We're not begging," the judge said, "but we want to get that thing back together."

There's a GoFundMe page set up by banker Donaldson.

I asked Bearden about the man he'd refer to only as "the suspect."

Nicholas Jarret Miller, 41, was arrested Friday in McLennan County after a slow-speed chase. He's being held on several charges, including arson and evading arrest.

"This young man, we knew his family forever," Bearden said. "He went to school with my daughter. Same age. He had a lot more advantages than some of the kids had. They had some issues with the family. And we had a family here in Mason take him in. ... For three years he lived with them. He had everything that you would want.

"But you can't really blame it on his upbringing, because he had the opportunity to be a success," the judge said. "But he went down the wrong path somewhere."

He referred to a live video the suspect had on Facebook during the chase. "It's a shame that he took out his anger on our courthouse," Bearden said. "But you can't explain those things."

He tried, saying the suspect's "anger





Ken Herman/American-Statesman

over a pending child custody case initiated this outburst.” Whatever it was, that part of this tragedy now is in prosecutors’ hands. Bearden is focused on the courthouse.

Soon, experts will determine if the exterior sandstone walls are sound enough to support a rebuilding of the courthouse. That’s Plan A. Plan B, according to Bearden, would be to try to shore up the walls and “do something like a metal building inside with offices and everything but still have the same appearance on the outside.”

“The last thing I want to do, and the absolute last thing, and the thing that I want to fight tooth and nail until they’ve dragged me kicking out of here, is to tear it down and build a modern structure there. I’ll leave first,” he said.

Just too much history, he said.

“They brought those (courthouse) columns to Brady, Texas, on the train. And then they put those columns on wagons and brought them to Mason with mules. And then they set them up,” he said. “Those people did all of that without cranes. They took all those rocks up there without cranes.

They didn’t have those. They did lifts with muscle.”

“I’ve been so busy that I haven’t had a whole lot of time to just really slow down and let it soak in,” he said of the days since the fire. “But when I have to look across the street and see that grand old lady looking like it is now, it breaks my heart.”

“I’m 74 years old,” he said. “I’ve ranched and taught and farmed. But let me tell you what, I can cry with the best of them when I have to. I’ve had tears on this one, and I’m not ashamed to say it.”

In a city boy’s effort to lighten the moment, I told Bearden that if I put in the paper that he cried he might never get elected again. Cowboys don’t cry, I told him.

“Cowboys don’t cry,” Bearden acknowledged, “but I’m not running again. In fact, I was going to retire and go back to doing some ranching and stuff at the end of September. And then we heard about getting the grant to restore (the courthouse), and then, of course, the COVID deal was going on.”

Now, this.

“I’m not going to leave now and leave the people in the county that I love in the lurch,” he said.

There’s just something special about old courthouses. On this sunny Monday afternoon, Janis Richter, with husband John, had driven from Georgetown to gaze at this charred one and think about another one that burned.

“It was in Austin County, Texas. Bellville, the county seat. And it was 1960. And it was a beautiful castle courthouse,” she told me. “And it burned late at night. And where we were, it looked like the whole town” was ablaze.

She was 12. Her family lived about a block from the courthouse square. Close enough that her family hosed down their roof to protect against embers. It was an accidental fire. But the building was destroyed and a new, boring one replaced it.

“It was Bellville,” she said of the destroyed courthouse. “I mean it was our traditions there. At Christmas, they hung the lights from it. It looked like a big Christmas tree. It’s just tradition.”

Now, all these years later, she remembers what it means to a small town when its courthouse burns.

“I do hope they rebuild it to as much of the original look,” she said, lamenting the replacement courthouse in her long-ago hometown, “Have you been to Austin County? It’s a gray cement block.”

So why was she standing near Mason County’s destroyed courthouse?

“I just felt the loss again from our courthouse,” she said. “When I heard about this, I knew the feeling that these people in Mason County were feeling.”

JERRY M. BEARDEN

Mason County Judge

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Mason, Texas 76856

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March 5, 2021

Mark Wolfe

Executive Director, Texas Historical Commission

Dear Mr. Wolfe,

February 4, 2021 will live forever in the minds of the citizens of Mason County as they will recall the burning down of their 111 year old county courthouse. This was probably the most tragic event to ever touch the lives of all the people who call Mason County their home and all who were born and raised in this rural Texas county. The pride and centerpiece of the County and City of Mason was destroyed by an alleged arsonist and now stands forlornly with only the four walls, columns, and chimneys remaining as a stark reminder of what was once the provider of records, history, and justice for Mason County. The Mason County Courthouse was more than just a building to this community, as so eloquently stated by the Mason ISD Superintendent, "The Mason County Courthouse is most certainly the 'focal point' of our small, rural community. It stands for more than just the center of our beautiful town square. It stands for life, unity and citizenship for the residents of Mason County. It is the building that is most admired by visitors and local citizens."

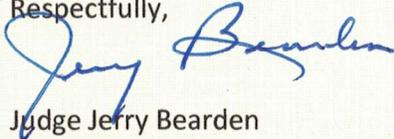
The people of Mason County, like all citizens of the great state of Texas, do not want to stand by and just mourn the loss of this historic courthouse but they want to rebuild it and return it to its former glory. This will be a huge undertaking and the cost of rebuilding the courthouse will require funds that the county alone cannot afford.

The Commissioners Court has been working with the Texas Historical Commission, Texas Association of Counties Risk Management Pool, and others to secure funding to assist in the cost of rebuilding the courthouse and understand the costs to do so. The THC has stated that the Round XI full restoration grant in the amount of \$4,140,119 will still be provided to the county, even if some of the original scope changes. The schedule and source of funds to the Funding Agreement may need to be renegotiated as part of what is needed to accomplish a more extensive project. The remaining THC grant, after paying expenses incurred thus far is estimated at around \$3.6 million and the amount of insurance that the county can reasonably claim, without raising our future premiums beyond the county's means, is \$6-\$6.5 million. This will leave a need for, in our estimate based upon information from our architect and structural engineer, a shortage of funding amounting to at least \$10 million to rebuild the courthouse.

The County of Mason humbly requests that the Legislature of the State of Texas assist in funding the rebuilding of the courthouse and provide \$10 million which will be necessary to complete the project. We anticipate a thorough cost estimate from the Texas Association of Counties and our architect within the next 4-6 weeks. We will provide that information to the THC as soon as we have received it.

Please let me know if you have any questions for me about this request.

Respectfully,



Judge Jerry Bearden
Mason County



TEXAS COUNTY COURTHOUSES IN DANGER

TEXAS HISTORICAL COMMISSION WORKS TO PROTECT TEXAS' RURAL LANDMARKS

Jeff Durst

On February 4, 2021, the Mason County Courthouse burned, shocking the entire state and everyone who values Texas history.

While no lives were lost, the loss of a courthouse to fire is one of the most heartbreaking things a community can experience. In this case, an arsonist was responsible for the fire, compounding the community's pain.

It is a terrible irony that Mason County has experienced this tragedy. For more than a decade, the county worked toward the restoration of this 110-year-old building, and Judge Jerry Bearden has been a consistent and vocal advocate of the project. The Texas Historical Commission (THC) recently awarded a grant of more than \$4 million to the county for a full restoration project, and the dreams of many Mason County residents to see the courthouse returned to its original glory were about to come true. The existence of this plan is a major budgetary milestone and it will assist the county should it be able to move forward with restoration. Judge Jerry Bearden has requested of state leadership and the Legislature a \$10 million appropriation that will, in combination with the THC grant and an insurance payment, fully fund Mason County's planned restoration project.

This is not the first time a county has faced this challenge. In recent decades both Hill and Newton counties were able to successfully rebuild their courthouses after devastating fires. Overall, the THC has helped more than 70 Texas counties rebuild, restore, and preserve their courthouses.

Across the Lone Star State in cities, towns, and rural counties, historic courthouses are threatened. The stories they tell may soon be forgotten unless counties intervene—in some cases immediately.

The threats are many—fire, water damage, the wear of time, lack of maintenance, insufficient fire and safety code compliance, structural deficiencies, presence of construction materials now known to be hazardous, and mold. Restoration of a historic courthouse is a monumental task for a county to assume on its own, and sadly, the threats outnumber the resources to restore these courthouses.

The THC's Texas Historic Courthouse Preservation Program (THCPP) is a significant source of relief to counties with threatened historic courthouses. The THCPP works with the Texas Legislature to provide matching grant funds to counties to preserve and upgrade historic courthouses. After a full restoration, county officials must continue to be diligent in maintaining their restored courthouses or face these threats all over again. The THC's Texas Courthouse Stewardship Program offers technical assistance and education through regular workshops and site visits.

To learn more about Texas' historic county courthouses, the services they provide to communities, and the threats they face, visit thc.texas.gov/courthouses.



Rich Klein

MASON COUNTY COURTHOUSE AND THE TEXAS HISTORICAL COMMISSION

Mason County received a \$4.1 million matching grant to do a full restoration from the THC's Texas Historic Courthouse Preservation Program. These funds would fall far short of what the county will need now to rebuild the courthouse. The grant program's funding arrangement allows us to renegotiate scope at any time. Our leadership will work with the county to determine what can be done.

Mason County also received a 2010 planning grant for \$350,000, which was used to create a Courthouse Master Plan for its full restoration. The existence of this plan is a major budgetary milestone, and it will assist the county now if they decide to move forward with restoration.

MASON COUNTY'S TRAVEL ECONOMY

- Generates about \$3.2 million in expenditures, \$320,000 attributable to heritage travelers alone.
- Supports about 50 jobs, and generates \$260,000 in direct tax receipts for state, county, and local governments.
- Mason County is part of the Texas Forts Trail Region, with several notable historic attractions, including Fort Mason, the Odeon Theatre, and the Mason County Museum.
- The Mason County Courthouse is a contributing property to the Mason Historic District, added to the National Register of Historic Places in September 1974.

thc.texas.gov/courthouses

TEXAS
HISTORICAL
COMMISSION 
REAL PLACES TELLING REAL STORIES

TEXAS HISTORICAL COMMISSION

Item 8.4A

Texas Historical Commission
April Quarterly Meeting
April 27, 2021

Consider adoption of amendments to sections 13.3, 13.4, 13.5, and 13.6 of the Texas Administrative Code, Title 13, Part 2, Chapter 13 related to the Texas Franchise Tax Credit for Certified Rehabilitation of Certified Structures, without changes to the text as published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1150-1156)

Background:

The Texas Historical Commission proposes amendments to Title 13 of the Texas Administrative Code, Part 2, Chapter 13, Sections 13.3, 13.4, 13.5, and 13.6, which define requirements for applications and review of applications for the state historic tax credit program.

Collectively, these amendments address sections of the tax credit program rules that require submission of applications in hard copy. The Commission is working towards future implementation of an electronic application submission process and, to enable this, the amendments will remove the following explicit requirements for hard copy applications:

Section 13.3 outlines the requirements for the Part A – Evaluation of Significance application. Part A requires information and documentation to confirm that a subject property has an existing historic designation or is eligible for a historic designation that would qualify the property to participate in the tax credit program. §13.3(b)(4) requires photographic documentation of current building conditions be submitted in printed formats.

Section 13.4 outlines the requirements for the Part B – Evaluation of Significance application. Part B requires information and documentation to allow Commission staff to assess proposed architectural work. §13.4(b)(3) requires photographic documentation of proposed projects be submitted in printed formats.

Section 13.5 outlines the requirements for the Part C – Request for Certification of Completed Work application. Part C requires documentation to allow Commission staff to assess and certify completed architectural projects. §13.5(b)(4) requires photographic documentation of completed projects be submitted in printed formats.

Section 13.6 outlines the processes by which applications are submitted and reviewed by Commission staff. §13.6(b) requires that applications be delivered to the Commission in hard copy and disallows submission by electronic mail.

An implementation date for an electronic application submission system has not been established. As such, the amendments will remove the existing specific requirements described above and will, instead, direct applicants to follow published Commission guidance. Guidance, including the application guide, individual application instructions, and pages on the Commission website, will be edited and re-issued once an electronic system is operational.

No comments were received during the thirty-day comment period.

The final publication will take place after adoption by the Commission.

Suggested Motion:

Move to adopt amendments to sections 13.3, 13.4, 13.5 and 13.6 of the Texas Administrative Code, Title 13, Part 2, Chapter 13, related to the State Franchise Tax Credit for Certified Rehabilitation of Certified Historic Structures, without changes to the text published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1150-1156)

Texas Administrative Code

Title 13 Cultural Resources

Part 2 Texas Historical Commission

Chapter 13 State Franchise Tax Credit for Certified Rehabilitation of Certified Historic Structures

ADOPTION PREAMBLE

The Texas Historical Commission (Commission) adopts amendments to 13 Texas Administrative Code, Rules 13.3, 13.4, 13.5, and 13.6, concerning the State Franchise Tax Credit for Certified Rehabilitation of Certified Historic Structures. The rule is adopted without changes to the proposed text published in the February 19, 2021 issue of the *Texas Register* (46 TexReg 1150-1156)

The amendments collectively support the future implementation of an electronic application submission system for the applications required by the Commission as part of the tax credit program.

Sections 13.3, 13.4, and 13.5 describe the information and submission requirements for each of the three parts of the tax credit application required by the Commission for review of proposed and completed projects. §13.3(b)(4), §13.4(b)(3), and §13.5(b)(4) specifically require printed, hard copy photographs. The amendments remove these requirements and directs applicants to consult program guidance published by the Commission on its website for current submission requirements. Commission guidance materials will be revised to support an electronic submission system once one has been established. The Commission will prioritize open access through acceptance of standard format materials in the electronic submission system.

Section 13.3 outlines the requirements for the Part A – Evaluation of Significance application. Part A requires information and documentation to confirm that a subject property has an existing historic designation or is eligible for a historic designation that would qualify the property to participate in the tax credit program. §13.3(b)(4) requires photographic documentation of current building conditions be submitted in printed formats. The amendment requires photographic documentation to be submitted in conformity with the Commission’s guidance materials as published on its website.

Section 13.4 outlines the requirements for the Part B – Evaluation of Significance application. Part B requires information and documentation to allow Commission staff to assess proposed architectural work. §13.4(b)(3) requires photographic documentation of proposed projects be submitted in printed formats. The amendment requires photographic documentation to be submitted in conformity with the Commission’s guidance materials as published on its website.

Section 13.5 outlines the requirements for the Part C – Request for Certification of Completed Work application. Part C requires documentation to allow Commission staff to assess and certify completed architectural projects. §13.5(b)(4) requires photographic documentation of completed projects be submitted in printed formats. The amendment requires photographic documentation to be submitted in conformity with the Commission’s guidance materials as published on its website.

Section 13.6 describes the process by which Commission staff review submitted applications. §13.6(b) requires submission of applications in a hard copy format and disallows submission via electronic mail. The amendment removes these specific constraints from the Administrative Code and instead directs applicants to follow published program guidance on the Commission's website.

PUBLIC COMMENT

No comments pertaining to these rule revisions were received during the thirty-day period following publication on February 19, 2021 in the *Texas Register*.

These amendments are adopted under the authority of Texas Government Code §442.005(q), which provides the Commission with the authority to promulgate rules to reasonably effect the purposes of the Commission, including the Commission's oversight authority regarding the Texas Historic Preservation Tax Credit Program and under Texas Government Code §171.909 which authorizes the Commission to adopt rules necessary to implement the Tax Credit for Certified Rehabilitation of Certified Historic Structures under the Texas Franchise Tax. The Commission interprets this authority as allowing for the revision of application procedures and formats.

The Commission hereby certifies that the section as adopted has been reviewed by legal counsel and found to be a valid exercise of the agency's authority.

Amendments to the Texas Administrative Code, Title 13, Part 2, Chapter 13 are adopted as appear below:

Title 13 Cultural Resources
Part 2 Texas Historical Commission
Chapter 13 State Franchise Tax Credit for Certified Rehabilitation of Certified Historic Structures

Rule §13.3 Evaluation of Significance

(a) Application Part A - Evaluation of Significance. Part A of the application requires information to allow the Commission to evaluate whether a building is a certified historic structure and shall be completed for all buildings to be included in the project. Part A of the application is evaluated against criteria for significance and integrity issued by the National Park Service.

(b) Application Requirements. Information to be submitted in the Part A includes:

(1) Name, mailing address, telephone number, and email address of the property owner(s) and Applicant if different from the Owner;

(2) Name and address of the property;

(3) Name of the historic district, if applicable;

(4) Current photographs of the building and its site, showing exterior and interior features and spaces adequate to document the property's significance. Photographs must be formatted as directed by the Commission in published program guidance materials on the Commission's online Texas Historic Preservation Tax Credit Application Guide available by accessing thc.texas.gov;

(5) Date of construction of the property;

(6) Brief description of the appearance of the property, including alterations, characteristic features and estimated date or dates of construction and alterations;

(7) Brief statement of significance summarizing why a property is:

(A) eligible for individual listing in the National Register of Historic Places;

(B) contributes to a historic district listed in the National Register of Historic Places or a certified local district; or

(C) contributes to a potential historic district, accompanied by:

(i) a map showing the boundary of the potential historic district and the location of the property within the district;

(ii) photographs of other properties in the district; and

(iii) justification for the district's eligibility for listing in the National Register of Historic Places;

(8) A map showing the location of the historic property;

(9) Signature of the Owner, and Applicant if different from the Owner, requesting the determination; and

(10) Other information required on the application by the Commission.

(c) Consultation with Commission. Any person may informally consult with the Commission to determine whether a property is:

(1) listed individually in the National Register of Historic Places;

(2) designated as a Recorded Texas Historic Landmark or State Antiquities Landmark; or

(3) certified by the Commission as contributing to the historic significance of a historic district listed in the National Register of Historic Places or a certified local district.

(d) Automatic qualification as certified historic structure. If a property is individually listed in the National Register of Historic Places or designated as a Recorded Texas Historic Landmark or State Antiquities Landmark, then it is a certified historic structure and should be indicated as such on Part A of the application.

(e) Preliminary determination of significance. An Applicant for a property not listed in the National Register of Historic Places, neither individually nor as a contributing element to a historic district; not designated a Recorded Texas Historic Landmark nor State Antiquities Landmark; and not listed in a certified local district may obtain a preliminary determination from the Commission as to whether the property is individually eligible to become a certified historic structure or is eligible as a contributing structure in a potential historic district by submitting Part A of the application. Determination will be based on criteria for listing in the National Register of Historic Places. Applications for a preliminary determination of significance must show how the property meets one of the following criteria for listing in the National Register of Historic Places and any applicable criteria considerations from the National Park Service.

(1) National Register of Historic Places criteria. The quality of significance in American history, architecture, archeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and one or more of subparagraphs (A) - (D) of this paragraph:

(A) Properties that are associated with events that have made a significant contribution to the broad patterns of our history; or

(B) that are associated with the lives of persons significant in our past; or

(C) that embody distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(D) that have yielded, or may be likely to yield, information important in prehistory or history.

(2) Criteria considerations. Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

(A) A religious property deriving primary significance from architectural or artistic distinction or historical importance; or

(B) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or

(C) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life.

(D) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

(E) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or

(F) A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or

(G) A property achieving significance within the past 50 years if it is of exceptional importance.

(3) Issuance of a preliminary determination of significance does not bind the Commission to the designation of an individual historic structure or district. Applicants proceed with rehabilitation projects at their own risk. If a structure is ultimately not listed in the National Register of Historic Places, designated as a Recorded Texas Historic Landmark, or certified as a contributing element to a local district pursuant to 36 C.F.R. §67.9, the preliminary determination does not become final, and the owner will not be eligible for the credit. The Commission shall not issue a certificate of eligibility until or unless the designation is final.

(f) Determination of contributing structures in existing historic districts. If a property is located in a district listed in the National Register of Historic Places or in a certified local district, an Applicant or an Owner of the property shall request that the Commission determine whether the property is of historic significance contributing to the district by submitting Part A of the application. The Commission evaluates properties located within historic districts listed in the National Register of Historic Places or certified local districts to determine whether they contribute to the historic significance of the district by applying the following standards:

(1) A property contributing to the historic significance of a district is one which by location, design, setting, materials, workmanship, feeling, and association adds to the district's sense of time and place and historical development.

(2) A property does not contribute to the historic significance of a district if it does not add to the district's sense of time and place and historical development, or if its location, design, setting materials, workmanship, feeling, and association have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost.

(3) Generally, buildings that have been built within the past 50 years shall not be considered to contribute to the significance of a district unless a strong justification concerning their historical or architectural merit is given or the historical attributes of the district are considered to be less than 50 years old at the date of application.

(4) Certification of significance will be made on the basis of the appearance and condition of the property before beginning the rehabilitation work.

(5) If a nonhistoric surface material obscures a building's façade, it may be necessary for the owner to remove a portion of the surface material so that a determination of significance can be made. After the material has been removed, if the obscured façade has retained substantial historic integrity and the property otherwise contributes to the significance of the historic district, it will be considered eligible to be a certified historic structure.

(g) Subsequent Designation. If a property is not automatically qualified as a certified historic structure, an owner of a property shall request that the Commission determine whether the property is of historic significance by submitting Part A of the application in accordance with subsections (e) and (f) of this section. Upon listing in the National Register of Historic Places, designation as a Recorded Texas Historic Landmark, or certification as a contributing element to a local district pursuant to 36 C.F.R. §67.9, a revised Part A should be submitted as stated in subsection (d) of this section. A building must be a certified historic structure prior to the issuance of the certificate by the Commission as required by §171.904(b)(1)(A) of the Texas Tax Code.

(h) Multiple buildings. If a property contains more than one building and the Commission determines that the buildings have been functionally related historically to serve an overall purpose (such as a residence and a carriage house), then the functionally related buildings will be treated as a single certified historic structure, regardless of whether one of the buildings is separately listed in the National Register of Historic Places or as a Recorded Texas Historic Landmark or is located within a historic district. Buildings that are functionally related historically are those that have functioned together to serve an overall purpose during the property's period of significance.

(i) Portions of buildings. Portions of buildings, such as single condominium apartment units, are not independently eligible for certification. Two or more buildings or structures located on a single tract or parcel of land (or contiguous tracts or parcels), which are operated as an integrated unit (as evidenced by their operation, management and financing), may be treated as a single building or structure for the purposes of certification.

(j) Relocation of historic buildings. Relocation of a historic building from its original site may disqualify the building from eligibility or result in removal of designation as a certified historic structure. Applications involving buildings that have been moved or are to be moved will be evaluated on a case-by-case basis under the applicable criteria for designation as provided in this section. For a building listed in the National Register of Historic Places, the applicant will be responsible for updating the National Register of Historic Places nomination for the property or district, or the relocated building will not be considered a certified historic structure for the purpose of this credit. For a building designated as a Recorded Texas Historic Landmark, the applicant will be responsible for notifying the Commission and otherwise complying with the requirements of §21.11 of this title prior to undertaking any relocation.

Rule §13.4 Description of Rehabilitation

(a) Application Part B - Description of Rehabilitation. Part B of the application requires information to allow the Commission to determine whether the proposed rehabilitation work is consistent with the Standards for Rehabilitation and shall be completed for all projects and phases of projects. Part B may only be submitted with Part A of the application or after the Part A of the application has been submitted to the Commission.

(b) Application Requirements. If a property is a certified historic structure or receives a preliminary determination of significance, an Applicant or Owner of the property shall request that the Commission determine whether the rehabilitation plan is in conformance with the Standards for Rehabilitation. Information to be submitted in the Part B includes:

(1) Name, mailing address, telephone number, and email address of the Owner and Applicant if different from the Owner;

(2) Name and address of the property;

(3) Current photographs of the building and its site, showing exterior and interior features and spaces adequate to document the property's significance. Photographs must be formatted as directed by the Commission in published program guidance materials on the Commission's online Texas Historic Preservation Tax Credit Application Guide available by accessing thc.texas.gov;

(4) A rehabilitation plan including drawings of the site plan and the building floor plans showing existing conditions and all proposed work with elevation drawings if applicable to illustrate any new construction, alterations, or additions. Drawings of the existing building condition and drawings of the proposed project are required to substantiate the scope of the project. If the project is a phased development, a description of all phases of work with the associated timeline shall be provided;

(5) Additional photos as necessary to completely illustrate all areas of the building that will be affected by the rehabilitation;

(6) A timeframe by which all work included in the project will be completed with a projected starting date and completion or placed in service date;

(7) An estimate of the aggregate eligible costs and expenses;

(8) Signature of the Owner, and Applicant if different from the Owner, requesting the review; and

(9) Other information required on the application by the Commission.

(c) Determination of certified rehabilitation. Part B rehabilitation plans are reviewed by staff of the Commission for consistency with the Standards for Rehabilitation as set forth below:

(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

(3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

(4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

(7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

(8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

(9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Rule §13.5 Request for Certification of Completed Work

(a) Application Part C - Request for Certification of Completed Work. Part C of the application requires information to allow the Commission to certify the completed work follows the Standards for Rehabilitation and the rehabilitation plan as approved by the Commission in the Part B review. Part C may be submitted when the project is placed in service.

(b) Application requirements. Information to be submitted in the Part C includes:

(1) Name, mailing address, telephone number, and email address of the property owner(s);

(2) Tax identification number(s);

(3) Name and address of the property;

(4) Photographs of the completed work showing similar views of the photographs provided in Parts A and B. Photographs must be formatted as directed by the Commission in published program guidance materials on the Commission's online Texas Historic Preservation Tax Credit Application Guide available by accessing thc.texas.gov;

(5) Evidence of the placed in service date, such as a certificate of occupancy issued by the local building official or a certificate of substantial completion; and

(6) Other information required on the application by the Commission.

Rule §13.6 Application Review Process

(a) Application form. The Commission staff will develop the application and may modify it as needed over time. All required forms, including application Parts A, B, C, and amendment forms, are available from the Commission at no cost.

(b) Delivery. Applications will be accepted beginning on January 1, 2015 and continuously thereafter. Applications should be submitted to the Commission in the manner and format directed by the Commission in published program guidance materials on the Commission's online Texas Historic Preservation Tax Credit Application Guide available by accessing thc.texas.gov.

(c) Application Part A - Evaluation of Significance. Part A of the application will be used by the Commission to confirm historic designation or to determine if the property is eligible for qualification as a certified historic structure.

(1) If a property is individually listed in the National Register of Historic Places or designated as a Recorded Texas Historic Landmark or State Antiquities Landmark, the property is qualified as a certified historic structure.

(2) The applicant will be responsible for providing sufficient information to the Commission with which the Commission staff may make a determination. If all requested information is not provided to make a determination that a building is eligible for designation as a certified historic structure, the staff may request additional information from the applicant. If the additional information requested is not provided in a timely manner, the application will be considered incomplete and review of the application will be placed on hold until sufficient information is received.

(3) The Commission staff review of Part A of a complete application, unless otherwise provided in §13.8 of this title (relating to Relationship with the Federal Rehabilitation Tax Credit Program), and shall notify the applicant in writing of any determination it makes upon completing the review of Part A of the application.

(4) There is no fee to review Part A of the application.

(d) Application Part B - Description of Rehabilitation. Part B of the application will be used by the Commission to review proposed projects for compliance with the Standards for Rehabilitation.

(1) The applicant will be responsible for providing sufficient information, including photographs taken prior to the project, to the Commission with which the Commission staff may make a determination. If all requested information is not provided to make a determination that a project is eligible as a certified rehabilitation, staff may request additional information from the applicant, usually required to be submitted within 30 days. If the additional information requested is not provided in a timely manner, the application will be considered incomplete and review of the application will be placed on hold until sufficient information is received.

(2) The Commission staff will review Part B of a complete application, unless otherwise provided in §13.8 of this title, and shall notify the applicant in writing of any determination it makes upon completing the review of Part B of the application. In reviewing Part B of the application, the Commission shall determine if Part B is approved or not as follows:

(A) Consistent with the Standards for Rehabilitation as determined by the Commission. If all aspects of the Part B of the application meet the standards for rehabilitation, no additional information is required, and no conditions are imposed on the work, Part B is approved.

(B) Consistent with the Standards for Rehabilitation with specific conditions of work required. The Commission may determine that the work described in the plan must be performed in a specific manner or with specific materials in order to fully comply with the Standards for Rehabilitation. In such cases, the Part B may be approved with specific conditions required. For applications found to be consistent with the Standards for Rehabilitation with specific conditions required, the applicant shall provide written acceptance to the Commission of all specific conditions required. Otherwise the application will be determined to be not consistent with the Standards for Rehabilitation; applications found to be consistent with the Standards for Rehabilitation with specific conditions required may proceed with the work but will only be eligible for the credit if the conditions listed are met as part of the rehabilitation work. Failure to follow the conditions may result in a determination by the Commission that the project is not consistent with the Standards for Rehabilitation.

(C) Not consistent with the Standards for Rehabilitation. Applications found not to be consistent with the Standards for Rehabilitation will be considered to be ineligible applications; the Commission shall make recommendations to the applicant that might bring the project into conformance with the Standards for Rehabilitation, however no warranty is made that the recommendations will bring the project into compliance with the Standards for Rehabilitation; the applicant may reapply and it will be treated as a new application and will be subject to a new application fee.

(3) An application fee is required to be received by the Commission before Commission review of Part B of the application. The fee is based on the estimated amount of eligible costs and expenses listed by the applicant on Part B of the application.

(A) Applicants must submit the fee with their Part B application or the application will be placed on hold until the fee is received. The fee is calculated according to a fee schedule approved by the Commission and included in the application.

(B) The fee is based on the estimated aggregate eligible costs and expenses indicated in the Part B application and is not refundable. Resubmission of a rejected application or under any other circumstances will require a new fee. Amendments to a pending application or approved project do not require additional fees.

(4) Amendment Sheet. Changes to the project not anticipated in the original application shall be submitted to the Commission on an amendment sheet and must be approved by the Commission as consistent with the Standards for Rehabilitation before they are included in the project. The Commission shall review the amendment sheet and issue a determination in writing regarding whether or not the proposed change in the project is consistent with the Standards for Rehabilitation.

(5) Scope of Review. The review encompasses the building's site and environment as well as any buildings that were functionally related historically. Therefore, any new construction and site improvements occurring on the historic property are considered part of the project. Individual condominiums or commercial spaces within a larger historic building are not considered individual properties apart from the whole. The scope of review for a project is not limited to the work that qualifies as an eligible expense. Likewise, all work completed by the current owner twenty-four (24) months before the submission of the application is considered part of the project, as is the cumulative effect of any work in previously completed or future phases.

(A) An applicant may elect to apply to receive the credit on only the exterior portions of a larger project that includes other work, in which case the scope of review will be limited to the exterior work. For properties that are individually listed on the National Register of Historic Places, are designated as a Recorded Texas Historic Landmark or State Antiquities Landmark, or determined to be eligible for these designations, the scope of review must also include primary interior spaces.

(B) For these projects described in subparagraph (A) of this paragraph, all work completed by the current owner twenty-four (24) months before the submission of the application, and within the same scope of review (e.g. exterior and/or primary interior) is considered part of the project, as is the cumulative effect of any work in previously completed or future phases within the same scope of review.

(e) Application Part C - Request for Certification of Completed Work. Part C of the application will be used by the Commission to review completed projects for compliance with the work approved under Part B.

(1) The applicant shall file Part C of the application after the building is placed in service.

(2) The applicant will be responsible for providing sufficient information, including photographs before and after the project, to the Commission by which the Commission staff may verify compliance with the approved Part B. If all requested information is not provided to make a determination that a project is eligible as a certified rehabilitation, the application is incomplete and review of the application will be placed on hold until sufficient information is received.

(3) The Commission staff will review Part C of a complete application, unless otherwise provided in §13.8 of this title, and shall notify the applicant in writing of any determination it makes upon completing the review of Part C of the application.

(A) If the completed project is found to be in compliance with the approved Part B and any required conditions; consistent with the Standards for Rehabilitation, and the building is a certified historic structure at the time of the application, the Commission shall approve the project. The Commission then shall issue to the applicant a certificate of eligibility that confirms the property to which the eligible costs and expenses relate is a certified historic structure and the rehabilitation qualifies as a certified rehabilitation and specifies the date the certified historic structure was first placed in service after the rehabilitation.

(B) If the completed project is not consistent with the Standards for Rehabilitation, with the approved Part B, and/or the specific conditions required, and the project cannot, in the opinion of the Commission, be brought into compliance, or if the building is not a certified historic structure at the time of the application, then the Commission shall deny Part C of the application and no certificate of eligibility shall be issued.

(C) If the completed project is not consistent with the Standards for Rehabilitation, with the approved Part B, and/or the specific conditions required, and the project can, in the opinion of the Commission, be brought into compliance, the Commission may issue remedial conditions that will bring the project into compliance. The applicant shall complete the remedial work and file an amended Part C. If the remedial work, in the opinion of the Commission, brings the project into compliance, then the Commission shall issue a certificate of eligibility.

(4) An application fee is charged before Commission review of the Part C of the application based on the amount of eligible costs and expenses listed by applicant on Part C of the application.

(A) Applicants must submit the fee with their Part C application or the application will be placed on hold until the fee is received. The fee is calculated according to a fee schedule approved by the Commission and included in the application.

(B) The fee is based on the eligible costs and expenses as indicated in the audited cost report and is not refundable. Resubmission of a rejected application or under any other circumstances will require a new fee. Amendments do not require additional fees.

(f) Closure of Inactive Applications. The Commission staff may close applications that have been deemed inactive. Closed applications do not qualify as certified rehabilitations and are not eligible for the Texas Historic Preservation Tax Credit unless reopened per paragraph (6) of this subsection.

(1) Applications may be deemed inactive and closed under any of the following circumstances: Part B and Part C application fees have not been received within sixty (60) days of receipt of the application parts; written requests for information necessary to complete the application and provide sufficient documentation to fully review the application are not responded to within sixty (60) days; or, approved application Parts have not progressed to subsequent Parts (for example: a Part B has not been submitted following approval of a Part A, etc.) and there has been no communication from the applicant to the Commission for a period of twenty-four (24) months or greater.

(2) Applications for projects that are simultaneously applying for federal historic tax credits, per §13.8 of this title may also be closed upon closure of the federal application by the National Park Service.

(3) Applicants will be notified in writing of the potential closure and given sixty (60) days to respond, in writing, with a request for the application to remain open; supplying missing or requested information; or to request an extension allowing additional time to compile missing or requested information. If no response is received, the application will be closed. Such requests shall not be unreasonably denied but shall not exceed an additional 60 days.

(4) Extensions will be granted, in writing, for a period of time agreed upon by the Commission and the Applicant, based on the status of the project. If an extension is not met, further extensions may be granted if the Applicant documents to the Commission that the project is progressing.

(5) Applications that have been closed will be reopened under the following conditions: the project applicant has not changed; the overall scope of work presented in the Part B application has not substantially changed; and the request to reopen the application is made in writing within twenty-four (24) months from the date the application was closed.

(6) If all conditions in paragraph (5) of this subsection are not met, a new application must be filed, including new Part B and Part C application fees.

TEXAS HISTORICAL COMMISSION

Item 11.2
Texas Historical Commission
April Quarterly Meeting
April 27, 2021

Discussion and possible action related to a request for partial removal of the deed covenant for the Naval Weapons Industrial Reserve Plant, Dallas, Dallas County

The Dallas Global Industrial Center, which is the subject of this request, is located at 9314 W. Jefferson Blvd, Dallas 75211, west of Dallas on US180 near Grand Prairie.

Background

Just prior to World War II, the Defense Plant Corporation was charged by the federal government with financing and building industrial manufacturing plants. In 1940, the corporation developed Plancor #25 adjacent to Hensley Field, an Army Airfield established in 1928. In 1943, the airfield became Naval Air Station Dallas, while the plant was later renamed the Naval Weapons Industrial Reserve Plant (NWIRP). Built as an aircraft manufacturing facility, it eventually encompassed 343 buildings on 314 acres, producing fighter and trainer aircraft, followed by bomber aircraft when the plant expanded in 1943. The Navy assumed control of the plant in 1947, leasing the property to private companies (TEMCO, Triumph Aerospace Structures) producing defense-related, commercial, and aerospace equipment through the Cold War years.

When the federal government moved to divest the property as surplus, the Navy hired Hardy Heck Moore (HHM) in 1998 to inventory and evaluate the property, including 159 government-owned buildings. This survey and subsequent Integrated Cultural Resource Plan (ICRMP) evaluations concluded that 7 of the 159 buildings were eligible for listing on the National Register of Historic Places, including Buildings 1 and 6 (manufacturing), Building 7 (offices), Building 49 (engineering), Building 94 (structures laboratory), and Buildings 16 and 97 (hangers). These structures were deemed significant due to their association as Historic Military Properties of World War II and the Industrial Mobilization Era (1941-1947), the Cold War Era (1948-1989), and the Post-Cold War Era (1990 to present).

In 2012, the U.S. General Services Administration transferred the property to American Brownfield MCIC, LLC with a historic preservation covenant (Section VIII) protecting Buildings 1, 6, 7, 16, 49, 94, and 97 based on a 2010 Memorandum of Agreement (MOA) with the U.S. Navy and the Texas Historical Commission (Attachment 3 of the Deed without Warranty). In 2016, NorthPoint Development purchased an ownership stake making them the general manager of the property, now known as Dallas Global Industrial Center. Since the transfer of the property, most of the existing buildings on the site have been demolished and replaced by two large one-story warehouse structures. The two historic hangars, Buildings 16 and 97, are being leased by Home Depot.

NorthPoint Development has requested release from the deed covenant placed on the remaining five abandoned historic buildings, that is, Buildings 1, 6, 7, 49, and 94. The manufacturing buildings

(1, 6) constitute the largest historic buildings on the site and are most visible to the public from Jefferson Boulevard (US180). The three other buildings (94, 49, 7) were designed as ancillary labs and offices for Building 6, directly facing Jefferson Boulevard. The two historic hangars (16, 97) would remain protected by the preservation covenant.

The developer's stated intention is to demolish the structures along Jefferson Boulevard to redevelop the land. On August 26, 2020, the City of Dallas announced approval of a contract to plan a mixed-use waterfront development along Mountain Creek Lake on the site of the former Naval Air Station Dallas adjacent to NWIRP.

If the Commission acts to partially release the covenant, concurrence of the Advisory Council on Historic Preservation (ACHP) will need to be attained.

Suggested Motions

Move to **approve** NorthPoint Development's request to release the historic preservation covenants, conditions, agreements, and reservations solely from Buildings 1, 6, 7, 49, and 94 by amending Section 8 of the Deed Without Warranty for the Naval Weapons Industrial Reserve Plant, conveyed from the United States of America to American Brownfield MCIC, LLC dated and filed in Dallas County on October 5, 2012, contingent on concurrence by the Advisory Council on Historic Preservation.

OR

Move to **deny** NorthPoint Development's request to release the historic preservation covenants, conditions, agreements, and reservations protecting Buildings 1, 6, 7, 49, and 94 on the Naval Weapons Industrial Reserve Plant located in Dallas, Texas.



March 12, 2021

Alex Toprac
Program Reviewer for Federal and State Project Review
Texas Historic Commission
512.463.6183
alex.toprac@thc.texas.gov
PO Box 12276
Austin, TX 78711-2276

RE: Proposed Future Plans
Dallas NWIRP Historic Buildings

CC: Mark Wolfe- State Historic Preservation Officer
Lydia Woods-Boone
Chad Meyer- NorthPoint President
Larry Lapinski- NorthPoint Chief Development Officer

Mr. Toprac,

Thank you for the quick response and for agreeing to present our request to remove a portion of the covenant over Buildings 1, 6, 7, 49, and 94 before The Texas Historic Commission. As mentioned in our previous correspondence the existing buildings have become a matter of public safety and we believe the community would be better served through redevelopment of the property. In the following we outline a number of key categories supporting our request, which we hope you find useful in preparing your presentation before the Commission. Please let us know if you have any questions or we can be of any further assistance.

Reinvestment In The Property

Manufacturing operations at the facility ceased in 2013. In 2015 the facility was acquired by the previous Owners who began marketing the property as Dallas Global Industrial Center (DGIC). From 2015 to 2017 they had little to no success leasing the property nor did they make any significant investments. In 2017 the Ownership group reached out to NorthPoint about redeveloping the property. We immediately recognized the opportunity with the property but knew that in order to unlock the potential significant improvements must be made. Over the course of the next 16 months, we began making significant improvements to the park including but not limited to the following:

- +\$4,000,000 of environmental remediation
- +\$7,300,000 of demolition and removal of obsolete buildings
- +\$10,000,000 of new utilities including storm, sanitary, water, electric, and gas
- +\$3,500,000 of new internal roadways and site lighting
- +8,000,000 re-establishing rail service to the property
- +2,300,000 of road improvements to Jefferson Blvd.
- Please see the Exhibits for a graphical representation of these improvements

Through our commitment to these improvements, we were able to secure not one but two major Home Depot distribution facilities totaling 2,300,000 SF. These projects represented a total investment of over \$200,000,000 bringing more than 1,500 jobs to the community.

Efforts to Lease the Existing Buildings

While our re-investment in the property was a major win as it relates to the Home Depot projects, this unfortunately has not been the case with the buildings covered under the covenant. As mentioned previously the previous Owners began marketing the property as DGIC in 2015, and had little to no success leasing the property, predominantly winning lot leases and/or month to month leases in some of the smaller out-buildings, but nothing in the structures now requesting to be removed from the covenant. In 2017 the Ownership group brought NorthPoint on as a joint venture partner and we not only began making significant investments in the park but also completely reworked the marketing and leasing strategy for the buildings covered under the covenant. Please see the attached exhibit to help illustrate just some of the materials prepared for such. Over the past four years we have actually had a lot of interest in the park with more than a dozen tours of various tenants interested in either Building 1 or Building 6, however we have had no success landing a tenant. By no success one could almost say “we can’t give the space away.” We have offered rents 2 to 3 times below market and tenants simply are unwilling to move forward. The feedback we have gotten is the column spacing does not work, the clear height does not work, the MEP systems are too antiquated or do not meet the standards of their asset protection groups, or the overall building layout is just too inefficient.

In addition to what we’ve outlined above we thought it may also be beneficial to provide some perspective from other professionals in the industry. Attached in the Exhibits you will find two letters, one from Nathan Lawrence of CBRE and a second from Nathan Orbin of Cushman Wakefield, two of the top industrial warehouse brokers in the Dallas metro area, explaining their opinion on why we have not had success with these buildings and the underlying potential to redevelop the property by removing the covenants over these buildings.

Community Benefit

Buildings 1, 6, 7, 49, and 94 total approximately 1,825,800 SF. Today these buildings generate roughly \$164,322 (approx. \$0.09/SF) in annual tax revenue for the state and local community. The Home Depot facility that was redeveloped on other portions of the property now generates over \$3,696,350 (approx. \$1.60/SF) in annual tax revenue. We believe if the buildings in question could be redeveloped into similar modern Class A warehouses totaling approximately 1,229,282 SF, generating the same annual tax revenue of \$1.60/SF this would bring over \$1,966,850 of tax revenue to the state and local community versus the \$164,000 they’re currently receiving.

Beyond the tax advantages outlined above this is a blighted area and has even been designated as an Opportunity Zone by the USED. On average warehouse distribution facilities such as the ones proposed employ approximately 1 person per 1,500 SF, thus if we were able to redevelop the property into approximately 1,229,282 SF of new product we believe we could bring over 800 new jobs to the market. This is a significant benefit to the existing facilities which are currently bringing no jobs to a community which desperately needs them.

Safety

Although these buildings are not producing leases, taxes, or jobs, they are presenting a public safety concern. As outlined in our January 21, 2021 correspondence the facility has become a concern primarily due to the perception that there is significant scrap value left in the buildings which has led to vandals entering the facility and removing components integral to the structural integrity of the buildings. There have been multiple accounts of vandalism and theft that required local law enforcement intervention. Five arrests have been made at the property, and on two separate occasions incidents involving gunshots occurred. By redeveloping these buildings into

functional modern day distribution centers we believe we could eliminate this public safety concern.

Exhibits

1. Site Map Of Buildings Proposed To Be Replaced
2. Site Map Of Proposed Redevelopment
3. New Utility Infrastructure Installed
4. New Roadways Installed
5. New Rail Service Installed
6. Cushman And Wakefield Marketing/Leasing Materials
7. CBRE Marketing/Leasing Materials
8. Letter From CBRE

In closing we appreciate your efforts, and the Commission's consideration on this matter. We understand and respect that this is not a decision that comes lightly, however it is our opinion that while these buildings were built during a significant period in American history the historical significance of these specific buildings has been diminished over the years. While it would be great if someone could reuse them, the reality is in today's market they are functionally obsolete. Because of this the buildings are not a representation of their proud American history but rather are underutilized opportunities for economic development that have grown into concerns for public safety. We thank you for the opportunity to correct this.

Sincerely,



Nick Crawford
Project Manager
NorthPoint Development on behalf of DGIC Project 1, LLC.

EXHIBIT 1- Site Map Of Buildings To Be Replaced

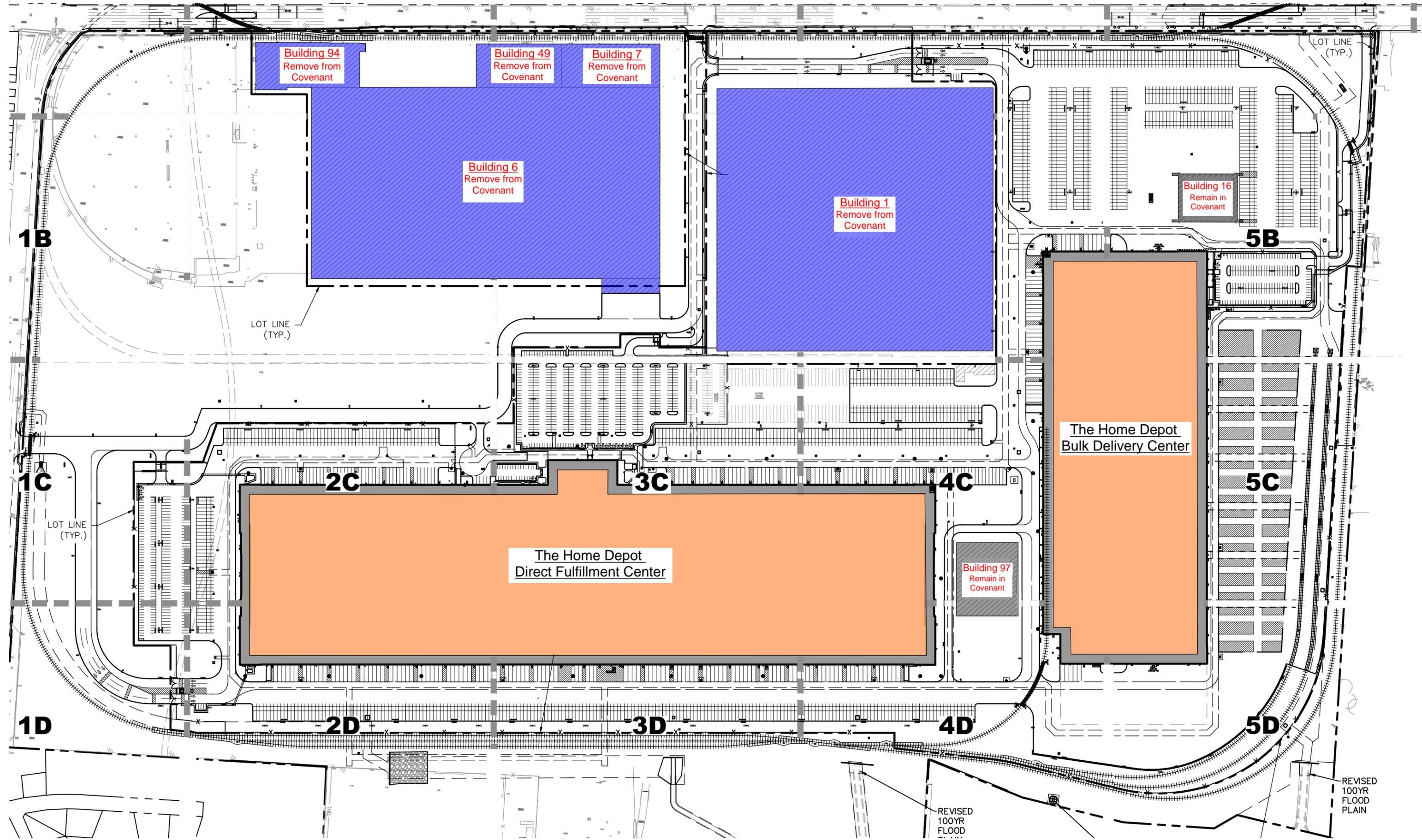
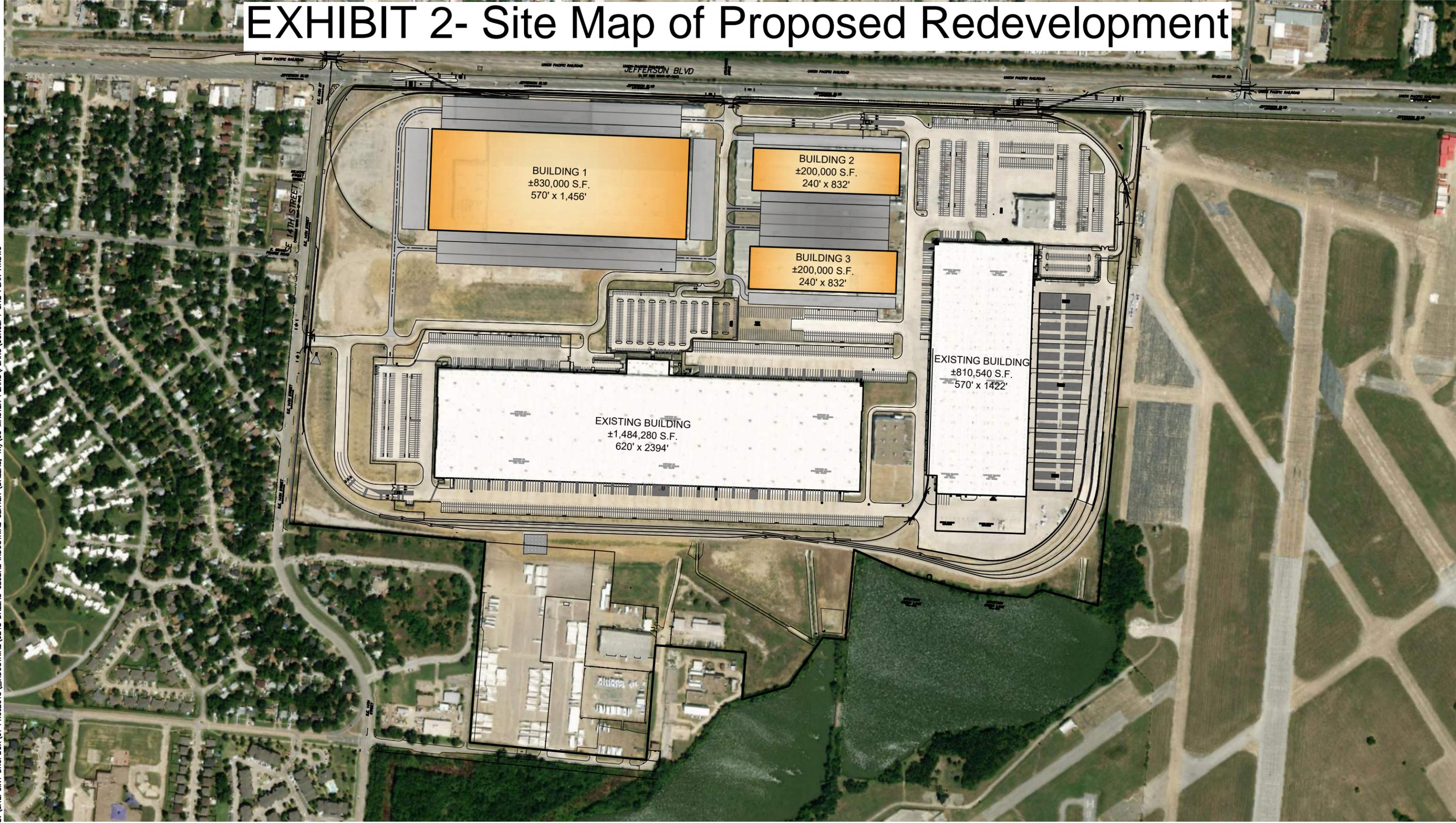




EXHIBIT 2- Site Map of Proposed Redevelopment



D:\SITEPOINT DROPBOX\01 PROJECTS\INDUSTRIAL\0248 DALLAS GLOBAL INDUSTRIAL CENTER (DALLAS, TX)\05 MASTER PLANS\PLANS\CONCEPT SITE PLAN A1.DWG

EXHIBIT 3- New Utility Infrastructure Installed

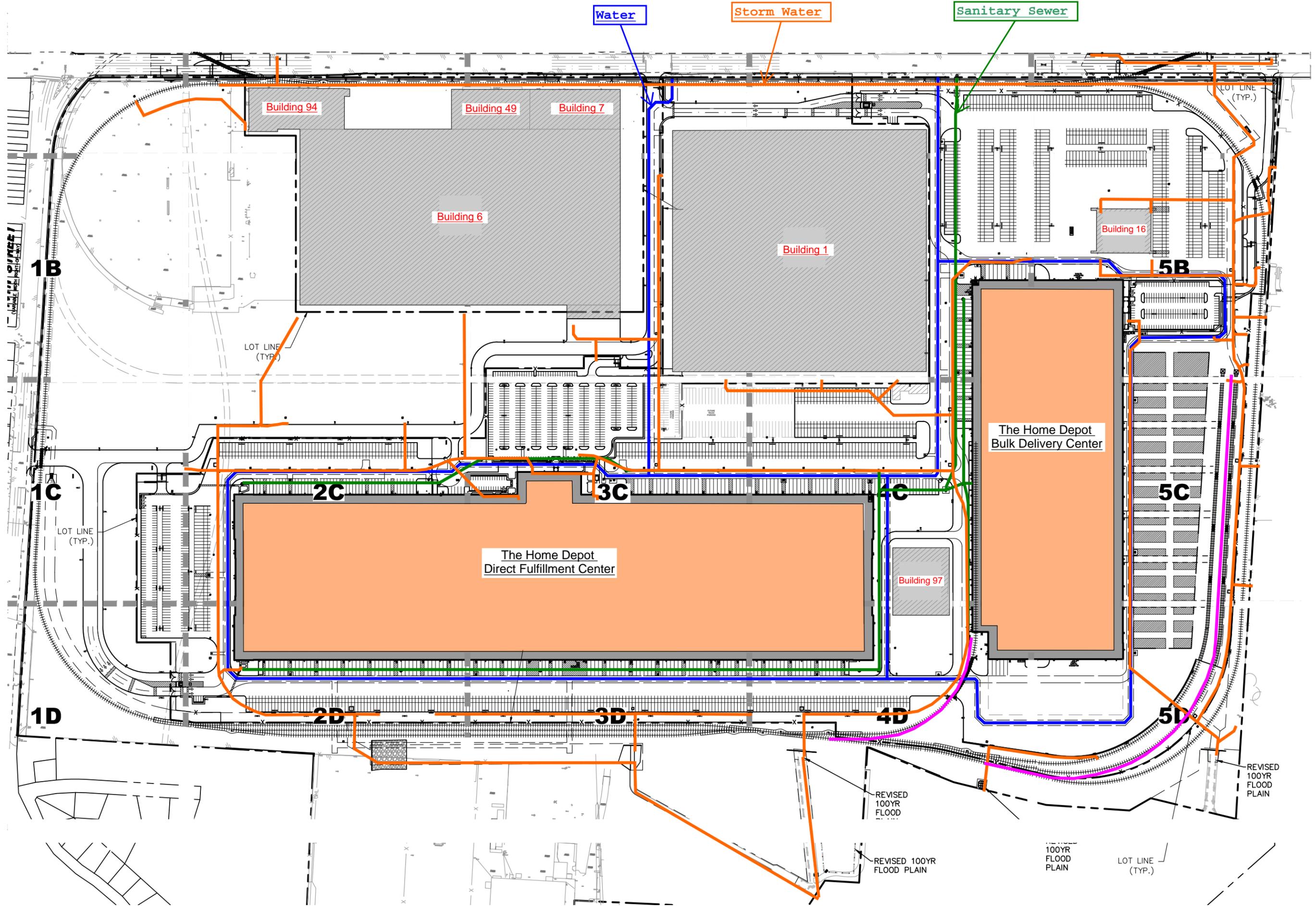


EXHIBIT 4- New Roadways Installed

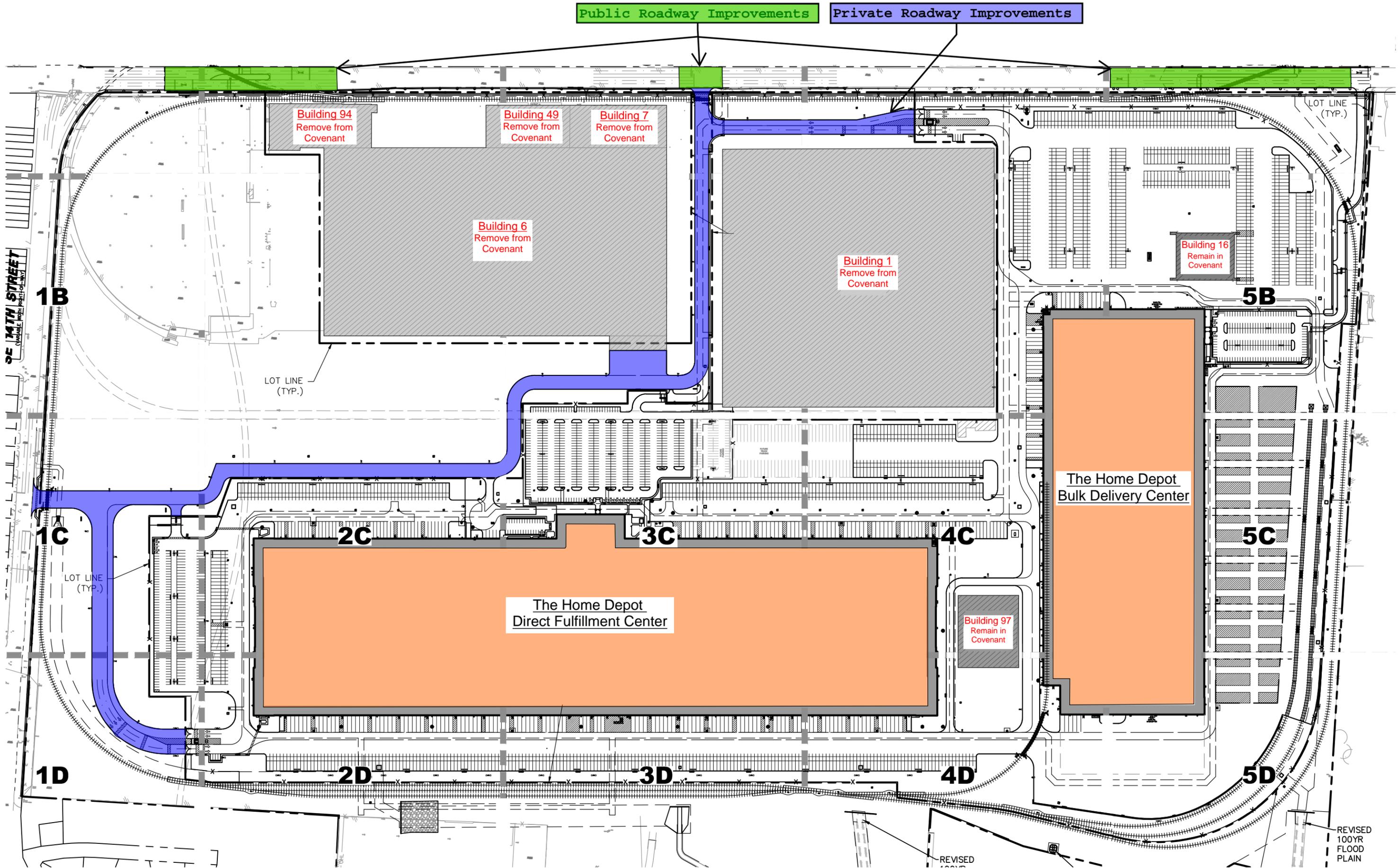
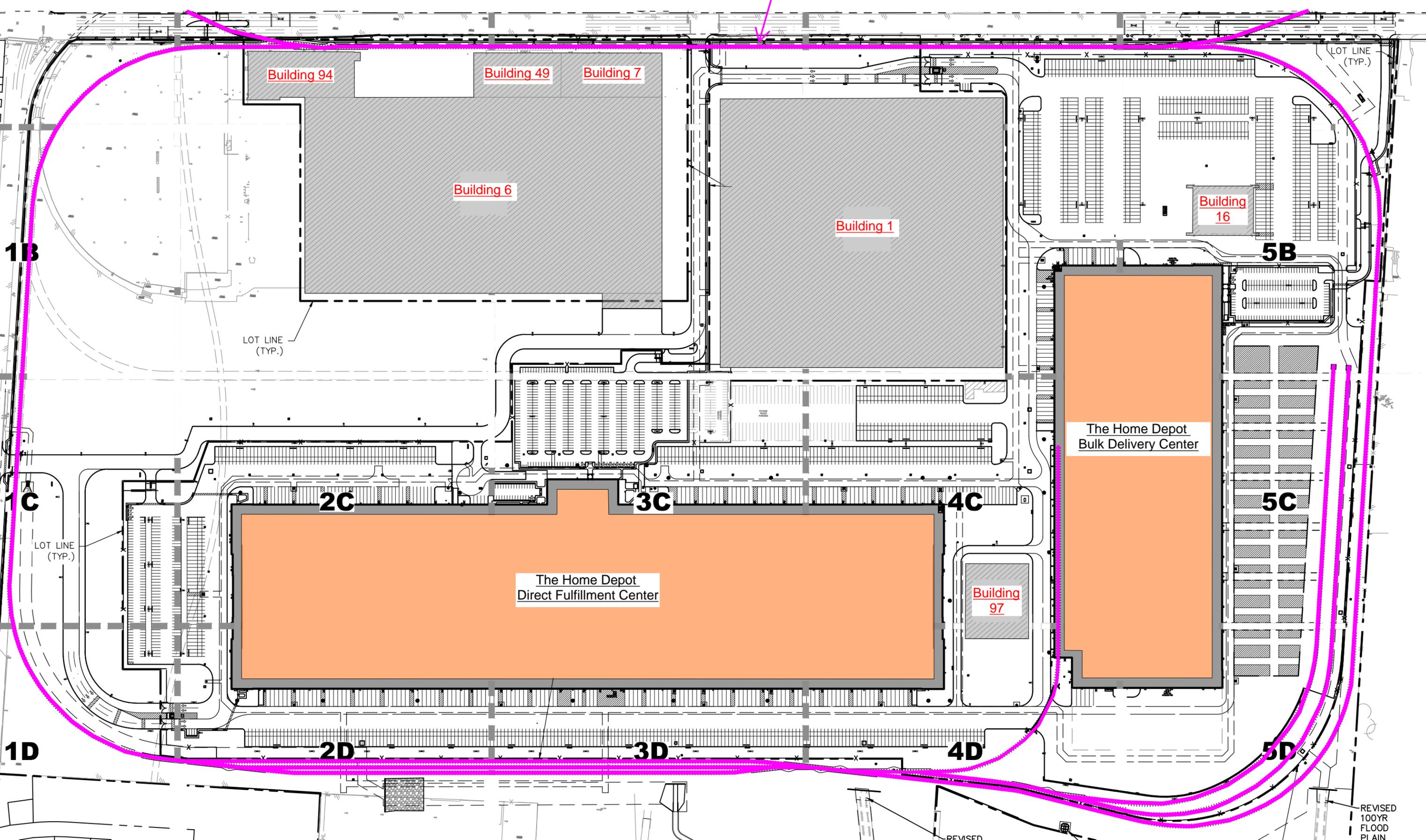


EXHIBIT 5- New Rail Service Installed

Rail

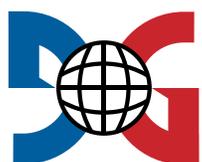


REVISED
100YR
FLOOD
PLAIN

EXHIBIT 6- C&W Marketing Materials

9314 JEFFERSON BLVD DALLAS, TEXAS 75211

DALLASGLOBAL.COM



Dallas Global
INDUSTRIAL CENTER

Dallas Global Industrial Center is the most unique available industrial site in North America today at the intersection of industrial infrastructure and industrial growth. Rarely does one find 300+ acres available in the heart of a top five industrial market. DGIC has prime interstate access to I-30 and I-20, Class-1 railroad service (Union Pacific), close proximity to UP and BNSF intermodal facilities, and 4.7 million square feet of ready-to-go, high-clear ceiling space to boot. It is the jewel of available industrial sites at the epicenter of where America is rebuilding its supply chain.



**CUSHMAN &
WAKEFIELD®**



Dallas Global INDUSTRIAL CENTER

Dallas Global Industrial Center is located west of downtown Dallas, just south of Interstate 30, and west of Loop 12 on Jefferson Boulevard in Dallas, Texas. This centralized and highly-amenitized industrial facility contains over 4.7 million square feet of space spanning more than 315 acres, all within a highly-secured campus setting. Formerly the home of a major aircraft manufacturer, Dallas Global contains manufacturing, warehouse, maintenance, laboratory and office space, and once accommodated over 29,000 employees on site. Additionally, the campus includes large tracts of paved and undeveloped land which could be utilized for outside storage and/or future expansion and development opportunities.

The multi-building campus is highly secured by a perimeter fence, monitored from three guard-gated access points, as well as a 24/7 manned security center with 26 cameras.





Dallas Global INDUSTRIAL CENTER

PROPERTY DESCRIPTION

Land: 315 Acres*

Primary Buildings:

Building 1 939,968 SF

Building 6 1,412,374 SF

Misc. Bldgs 2,425,632 SF

TOTAL 4,777,974 SF**

*substantially paved - heavy industrial concrete

**under roof

FACILITY SQUARE FEET BY TYPE

Manufacturing 2,852,212

Office 672,411

Maintenance 233,494

Data Center 16,200

Warehouse 396,671

Lab 159,430

Hangar/Shelter 447,556

TOTAL 4,777,974 SF

ADDITIONAL AMENITIES

- Heating, Air-Conditioning, and Humidity Control in Many Manufacturing Areas
- Fully Sprinklered
- Rail Served by Union Pacific
- Equidistant Between the UP and BNSF Intermodal Terminals
- 2.5 to 50-Ton Cranes
- Dual Feed Power
- Electrical Capacity for Heavy Manufacturing
- Data Center
- Clear Spans from 45'-200'
- Industrial/Research District Zoning (*per tax rolls*)

ACCESSIBILITY

To Airports:

Grand Prairie Airport 5 Miles

DFW International Airport 7 Miles

Dallas Executive Airport 7.5 Miles

Arlington Airport 8.5 Miles

Dallas Love Field 10 Miles

Addison Airport 17 Miles

Fort Worth/Meacham International Airport 20 Miles

Alliance Airport 25 Miles

Hensley Field Adjacent

To Thoroughfares:

I-30 .5 Mile

SH 161 1.5 Miles

Loop 12 3 Miles

I-20 5 Miles

I-35 East 9.5 Miles

US-75 11 Miles

I-45 11.5 Miles

I-35 West 20 Miles

AVAILABILITY

The site has been under long-term occupancy to aviation/aerospace manufacturing companies, which produce, design, manufacture, assemble, and test military and commercial aircraft. The current tenant will complete its move-out by the Spring of 2014.

REPRESENTED BY



RAIL SERVICE

The Union Pacific Main Rail Line serves the site with a direct spur into the property and primarily serves the two largest manufacturing buildings. The potential exists to connect the UP line to BNSF, CNL, and KC Southern within the Dallas/Fort Worth metropolitan area.

EXHIBIT 8- CBRE Letter



Nathan Lawrence
Vice Chairman

2100 McKinney Avenue, Suite 700
Dallas, TX 75201

CBRE, Inc.
Brokerage Services

www.cbre.com

March 8, 2021

Nick Crawford
Northpoint Development
4825 NW 41st Street, Ste 500
Riverside, MO 64150

RE: Marketing Efforts – Hangers 1 & 6

Dear Nick,

CBRE has had Hangers 1&6 listed for the last three and a half years and marketing through all of the typical outlets. There has been substantial interest over this period, however, when the users tour or focus on the building specs they ultimately determine they are antiquated and not functional for today's distribution or production needs. The below list of users considered DGIC and selected facilities that were nearby but more modern and functional:

- Amazon
 - Selected a facility newer more functional building in Arlington although they would have preferred to be located at DGIC the functional obsolescence pushed them away
- Manheim
 - Auto storage, paint, and repair facility which is going ground up given the potential cost to remodel hanger 1 for their needs
- LKQ
 - Expanded nearby in a Class A distribution center due to the nonfunctional nature of Hanger 1. They preferred the location of DGIC.
- Copart
 - Auto Storage and Truck Maintenance need that ended up locating in south Dallas due to the cost to remodel.

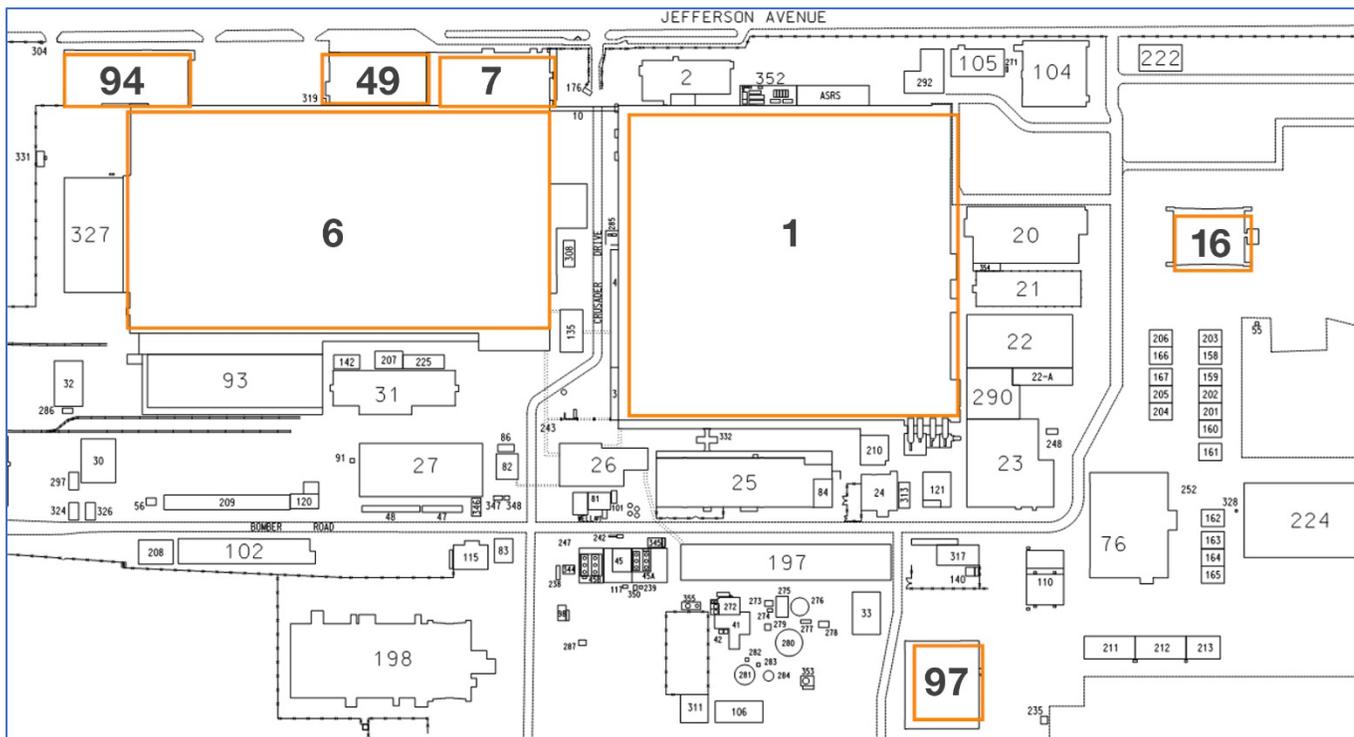
There is no question that newer modern day distribution facilities would be incredibly successful in place of the Hangers. This would create an opportunity for additional tax revenue and job growth for the local municipality as well. Please advise if there are any questions or if additional detail is needed.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Nathan Lawrence'.

Nathan Lawrence
Vice Chairman

IMAGES: Naval Weapons Industrial Reserve Plant, Dallas
 From Historic Building Status Report
 Prepared by NorthPoint, 5/13/2020



NorthPoint Site Plan showing non-historic buildings before demolition, with the seven historic buildings in yellow outline: Covenant covering Buildings 1 and 6 (Manufacturing) with ancillary Buildings 94, 49, and 7 would be released, while Hangars 16 and 97 would retain covenant protection. Most non-historic buildings shown have been demolished.



Aerial view of site looking south, with Jefferson Boulevard and rail line in foreground and Mountain Creek Lake in the distance. Buildings 1 (left) and 6 (right) have gray flat roofs. Buildings 94, 49, and 7 are seen adjoined to Building 7 at right foreground. Two new Home Depot warehouses are shown in middle ground with white roofs.



Buildings 1 and 6 facing north, as viewed from Jefferson Boulevard (the primary public view of the site)

Google Earth

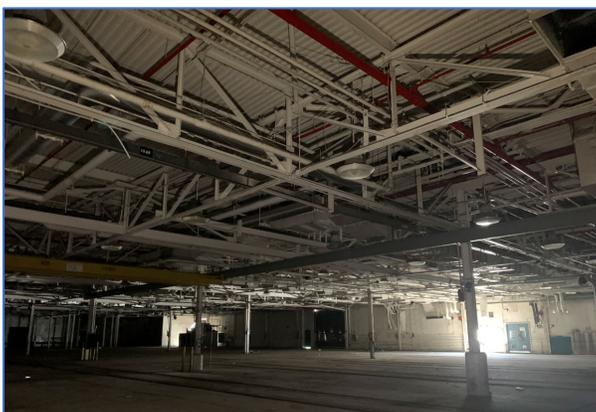
Building 1 (Manufacturing) – to be released from preservation covenant



Building 1, facing out towards the north and east, with Jefferson Boulevard to the right (beyond view) and Building 7 in distance



Building 1 facing east



Character-defining features of Building 1, such as interior steel framing (left) and exterior concrete bomb baffles at doorways (right)

Building 6 (Manufacturing) – to be released from preservation covenant

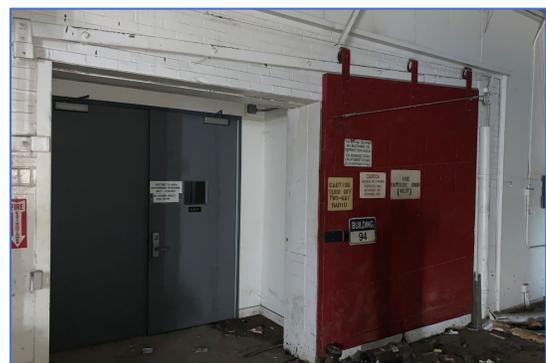


Obscured view of Building 6, facing north and west from Jefferson Boulevard with Building 94 in foreground and Building 49 beyond (to left). Building 327 (not part of this request) may be seen at right.

Google Earth



Building 6, facing south towards the interior of the site, with character-defining steel siding



Character-defining features of Building 6 such as bomb baffle (top left), original doors including entry doors protected by chain link fencing (bottom left), and structural mushroom capital column (center bottom).

Building 7 (Offices) – to be released from preservation covenant



Building 7, adjoining Building 6, and facing north with rail line (right) and Jefferson Boulevard (right, beyond view)



Building 7 with character-defining cantilevered canopy



Building 7 character-defining concrete bomb baffles (left) and decorative doors, protected by chain link fencing

Building 49 (Engineering) and Building 94 (Structures Laboratory)
– to be released from preservation covenant



Building 49, facing west, adjoining Building 6



Building 94, adjoining Building 6, with character-defining retractable doors



Building 94 facing north at rail line and Jefferson Boulevard (left, beyond view)

Buildings 16 and 97 (Hangars, in use) – to remain protected by preservation covenant



Building 16 (hangar), facing southwest



Building 97 (hangar), adjacent to one of two new Home Depot warehouses