

# TYLER 1<sup>st</sup>

*Building our future, together*



## 6. Historic Preservation



## Chapter 6 :: HISTORIC PRESERVATION

The intent of this document is to detail amendments from the 2014 update while continuing to memorialize the original text. Items updated through the 5-year update process will be accompanied with a Tyler 1<sup>st</sup> logo within the original Tyler 1<sup>st</sup> document. The text from the original document begins after the Tyler 1<sup>st</sup> logo appears in the text.



GOALS	POLICIES FOR DECISION MAKERS
<p>Maintain the integrity and character of Tyler’s historic neighborhoods.</p>	<ul style="list-style-type: none"> <li>• Maintain an inventory of Tyler’s historic properties.</li> <li>• Provide tools to review changes that may detract from historic neighborhoods’ integrity and character, such as design review.</li> <li>• Ensure that design guidelines address local conditions.</li> <li>• Provide appropriate resources to support design review.</li> <li>• Maintain and enhance historic elements of the public realm, such as downtown area brick streets and street trees.</li> <li>• Retain Tyler’s sense of place and identity.</li> </ul>
<p>Identify additional properties and groups of properties important to Tyler’s history for designation and protection.</p>	<ul style="list-style-type: none"> <li>• Support additional studies for the Historic Resources Survey to pursue landmark designation and National Register listing of historically-significant residential and non-residential properties.</li> <li>• Support the expansion of the Historic Resource Survey.</li> <li>• Identify structures less than 50 years old that may be exceptionally significant.</li> </ul>
<p>Ensure that City review of development includes historic preservation review when necessary.</p>	<ul style="list-style-type: none"> <li>• Coordinate departmental and City board activity affecting properties at least 50 years old to allow for timely review.</li> </ul>
<p>Enhance the preservation knowledge of City staff and municipal board members.</p>	<ul style="list-style-type: none"> <li>• Provide appropriate resources for technical and educational assistance to the Historical Preservation Board, the Planning and Zoning Commission, other municipal boards, and the City Council.</li> <li>• Provide, support and increase the availability of training and education.</li> </ul>
<p>Promote and display diverse aspects of Tyler’s history to enhance resident and visitor awareness of its importance.</p>	<ul style="list-style-type: none"> <li>• Support historic preservation activities, such as heritage trails focusing on, for example, Tyler’s economic or African-American history.</li> <li>• Support preservation of properties and sites associated with ethnic groups.</li> </ul>

GOALS	POLICIES FOR DECISION MAKERS
<p>Enhance public awareness of the economic benefits of historic preservation in Tyler.</p>	<ul style="list-style-type: none"> <li>• Publicize tax benefits, incentives and historic preservation grants available to individual property owners.</li> <li>• Publicize economic benefits of historic preservation to the city as a whole.</li> </ul>
<p>Enhance Historic Preservation Involvement</p>	<ul style="list-style-type: none"> <li>• Facilitate and adopt a Strategic Plan for Historic Preservation.</li> <li>• Educate residents of the importance of history, to better understand and appreciate historic preservation.</li> <li>• Develop, support and market historic and cultural places to travelers/tourists.</li> </ul>



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## HISTORIC PRESERVATION FACTS

- **NATIONAL REGISTER OF HISTORIC PLACES PROPERTIES:**

- > 27 individual commercial, industrial, institutional, and residential properties
- > 6 districts:
  - Charnwood District
  - Donnybrook Duplex District
  - East Ferguson District
  - Short-Line District
  - Azalea District
  - Brick Streets District

- **STATE-LEVEL HISTORIC DESIGNATIONS:**

- > 10 Recorded Texas Historic Landmarks (RTHLs)
- > 37 historical subject markers from the Texas Historical Commission

- **TYLER HISTORIC LANDMARKS:**

- > 70 residential, institutional, and commercial properties
- > 94 total designated landmarks
  - 30 added since 2006
- > Design review applies to these properties
- Nearly fifteen miles of historic brick streets in downtown and adjacent residential neighborhoods
- Historic preservation tax incentives offered by the City of Tyler for Tyler Historic Landmarks:
  - > Abatement on 50% of the assessed value of a designated Tyler Historic Landmark
  - > Abatement on 100% of the increase in property value following an approved rehabilitation project
  - > 35 landmarks with a total of \$4,709.06 abated (2012)
- Half Mile of History Program
  - > Ceremonies held quarterly
  - > 36 marker stones downtown
- 7 subject markers installed
- 4 historic signs (new in 2010)

Sources: City of Tyler and the Texas Historical Commission

### WHAT DOES IT MEAN?

- Tyler has developed a strong constituency that supports designation of historic properties.
- The majority of Tyler's historic properties are not protected from inappropriate alterations or demolition.
- Many individual historic properties throughout the city have not been recognized for potential designation.
- Tyler has more designated individual properties than cities of comparable size, such as McAllen, Round Rock, and Waco.
- Last historic resources survey completed in 1999 identified over 7,000 properties throughout the city that are at least 50 years old.
- 384 "High" priority properties for preservation are likely candidates for the National Register.
- Historic Tyler, Inc. has been instrumental in getting six historic districts and many individual properties named to the National Register since 1995.



GOALS	POLICIES FOR DECISION MAKERS
<p>Maintain the integrity and character of Tyler’s historic neighborhoods.</p>	<ul style="list-style-type: none"> <li>• Maintain an inventory of Tyler’s historic properties.</li> <li>• Provide tools to review changes that may detract from historic neighborhoods’ integrity and character, such as design review.</li> <li>• Ensure that design guidelines address local conditions.</li> <li>• Provide appropriate resources to support design review.</li> <li>• Maintain and enhance historic elements of the public realm, such as brick streets and street trees.</li> </ul>
<p>Identify additional properties and groups of properties important to Tyler’s history for designation and protection.</p>	<ul style="list-style-type: none"> <li>• Support additional studies for the Historic Resources Survey to pursue landmark designation and National Register listing of historically-significant residential and non-residential properties.</li> </ul>
<p>Ensure that City review of development includes historic preservation review when necessary.</p>	<ul style="list-style-type: none"> <li>• Coordinate departmental and City board activity affecting properties at least 50 years old to allow for timely review by the Historical Preservation Board.</li> </ul>
<p>Enhance the preservation knowledge of City staff and municipal board members.</p>	<ul style="list-style-type: none"> <li>• Provide appropriate resources for technical and educational assistance to the Historical Preservation Board, the Planning and Zoning Commission, other municipal boards, and the City Council.</li> </ul>
<p>Promote and display diverse aspects of Tyler’s history to enhance resident and visitor awareness of its importance.</p>	<ul style="list-style-type: none"> <li>• Support historic preservation activities, such as heritage trails focusing on, for example, Tyler’s economic or African-American history.</li> </ul>
<p>Enhance public awareness of the economic benefits of historic preservation in Tyler.</p>	<ul style="list-style-type: none"> <li>• Publicize tax benefits of historic preservation to individual property owners.</li> <li>• Publicize economic benefits of historic preservation to the city as a whole.</li> </ul>

**FINDINGS**

- Tyler is one of the oldest cities in East Texas and has many older residential, commercial, and institutional properties.
- Tyler has 22 individual properties and 6 districts listed on the National Register of Historic Places. National Register listing does not provide protections against inappropriate changes or demolition.
- Tyler has 65 individual properties designated as local historic landmarks.



Crescent Laundry, East Ferguson Street

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- The City of Tyler offers tax abatements to owners of local landmarks.
- Historic properties in Tyler are governed by voluntary guidelines.
- The Historical Preservation Board is an advisory committee appointed by the City Council and does not have the power to approve or deny Certificates of Appropriateness.
- The Historical Preservation Board and Historic Tyler, a non-profit organization, provide preservation advocacy.
- Code enforcement is a concern in Tyler's historic districts and older neighborhoods.

### KEY CHALLENGES

- Promoting more public awareness of the cultural and economic value of historic preservation
- Increasing public understanding of the range of preservation activities and designations at differing levels of regulation
- Protecting historic properties when local standards are voluntary and no community-specific design guidelines are in place
- Enforcing Certificate of Appropriateness restrictions and remedying code violations in historic districts



Progress Grocery, North Bois d'Arc Avenue

## HISTORIC PRESERVATION FACTS

- **NATIONAL REGISTER OF HISTORIC PLACES PROPERTIES:**

- > 22 individual commercial, industrial, institutional, and residential properties
- > 6 districts:
  - Charnwood District
  - Donnybrook Duplex District
  - East Ferguson District
  - Short-Line District
  - Azalea District
  - Brick Streets District

- **STATE-LEVEL HISTORIC DESIGNATIONS:**

- > 10 Recorded Texas Historic Landmarks (RTHLs)
- > 23 historical subject markers from the Texas Historical Commission

- **TYLER HISTORIC LANDMARKS:**

- > 65 residential, institutional, and commercial properties
- > 8 landmarks designated in 2006
- > Design review applies to these properties

- Fifteen miles of historic brick streets in downtown and adjacent residential neighborhoods

- Historic preservation tax incentives offered by the City of Tyler for Tyler Historic Landmarks:

- > Abatement on 50% of the assessed value of a designated Tyler Historic Landmark (new in 2005)
- > Abatement on 100% of the increase in property value following an approved rehabilitation project

- Historic resources survey includes over 7,000 properties throughout the city that are at least 50 years old

- Historic preservation ordinance passed in 1982

- No local historic districts and 65 local landmarks designated in over 24 years

- Most designated properties are located in the downtown area and the three largest National Register historic districts

- Historic Tyler, Inc. has been instrumental in getting six historic districts and many individual properties named to the National Register since 1995

Sources: City of Tyler and the Texas Historical Commission

### WHAT DOES IT MEAN?

- Tyler has developed a strong constituency that supports designation of historic properties.
- The majority of Tyler's historic properties are not protected from inappropriate alterations or demolition.
- Many individual historic properties throughout the city have not been recognized for potential designation.
- Tyler has fewer designated individual properties than cities of comparable size, such as Abilene and Amarillo.

## A. Current Conditions

### COMMUNITY SUPPORT FOR HISTORIC PRESERVATION

**T** Tyler residents recognize the fact that their historic properties distinguish them from many other Texas cities—and they value this distinction. The Tyler 1st planning process has shown that many Tyler residents strongly associate the city’s historic properties with Tyler’s identity. At the Tyler 1st Community Visioning Retreat, historic neighborhoods were repeatedly identified as key to the city’s character and their preservation and enhancement were seen as important to the city’s future. The community survey showed that 73% of the respondents believe that historic preservation is an important issue for the City of Tyler to address. In the same survey, 67% of the respondents identified Tyler’s historic districts as a major asset for the city to build upon in the future. Given this support, it seems clear that strengthening Tyler’s commitment to historic preservation should be a goal of the Tyler 1st planning process.

### HISTORIC RESOURCES

Founded in 1846 when the Texas Legislature authorized the creation of Smith County, Tyler began as a 100-acre tract of land purchased from a local farmer. In 1847, a twenty-eight acre town site was laid out around a central square. The new town was named after John Tyler, the eleventh president of the United States and flourished over the succeeding years, buoyed by cotton, railroads, fruit, and roses. Several remaining residential, commercial, and industrial properties were witness to this prosperity. By the 1920s, Tyler was well-known for its orchards and flowers, and when oil was discovered locally, the city experienced an economic boom that protected it from the Great Depression. Many of the city’s historic neighborhoods reflect the economic standing that Tyler enjoyed during this period.



North Broadway Avenue, circa 1925, with the 1909 courthouse to the rear and the Blackstone Hotel to the left.  
(Photo: City of Tyler)

Like many other cities, Tyler modernized as times changed after World War II. A desire to improve upon the old led to the replacement of many notable older buildings, such as the 1909 courthouse and the city square, the Blackstone Hotel, and the Citizens National Bank. As the city grew southward, some older areas in Tyler experienced disinvestment, with the result that today some historic buildings in the city’s older neighborhoods are not in good condition.

For many years, historic preservation activity in Tyler tended to focus on individual properties (particularly large residences) and the neighborhoods south of downtown Tyler. Residents understood the value that lies in these groups of properties and sought to recognize the ensembles through historic designation. There are, however, other types

of property and other areas that carry historic significance. Some individual commercial and institutional properties have received historic designations, and some infrastructure in Tyler's older neighborhoods, including brick streets and the WPA drainage canals, is widely recognized as contributing to the city's historic character. Recent historic designations have shown a growing awareness of the importance of properties in the city's African-American community in North Tyler. Future preservation efforts will focus on recognizing and protecting a variety of property types. They will also promote activities—such as heritage trails—that help residents and visitors understand how these historic properties relate to each other and Tyler's development.



The Moore Grocery Company Building, North Broadway Avenue

## RECOGNITION OF HISTORIC PROPERTIES IN TYLER

A historic property may be recognized through three programs: listing on the National Register of Historic Places, a registry of significant cultural buildings and landscapes maintained by the National Park Service; designation under a program that recognizes historic properties of statewide significance; and/or local designation by the municipal governing board. On the national level, a property may receive historic designation as an individual landmark or as a property within a historic district. This is also true on the local level if the municipality has local legislation authorizing the designation of both landmarks and historic districts.

Tyler has historic properties recognized by federal, state and local designations:

- National Register of Historic Places
- Recorded Texas Historic Landmarks
- Texas Historical Subject Marker Program
- State Register of Historic Places
- Tyler Historic Landmarks

## PROPERTIES LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES

Tyler has over 1,600 buildings, structures, and sites that have received some form of historic designation at the federal level. Twenty-two individual buildings have been listed on the National Register of Historic Places. These include well-known former residential properties such as the Goodman-LeGrand House and the



Bonner-Whitaker-McClendon House, West Houston Street

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Bonner-Whitaker-McClendon House, along with several churches, schools, public buildings such as the former Carnegie Library and the Smith County Jail, and commercial buildings such as the Blackstone Building and the Crescent Laundry. City Hall was nominated for designation in 2006 and approved by the Texas Historical Commission's Board of Review. Final approval from the National Park Service should be received in early 2007.



Short-Line National Register Historic District, Short and Line Streets

In addition, six historic districts have received National Register Designation:

- the Charnwood District (listed in 1999)
- the Donnybrook Duplex District (listed in 2002)
- the East Ferguson Street District (listed in 2002)
- the Short-Line District (listed in 2002)
- the Azalea District (listed in 2003)
- the Brick Streets District (listed in 2004).

Because these individual properties and districts have received credit as being of national historic value, Tyler's National Register properties can be viewed as the most important historic properties in the city.

INDIVIDUAL NATIONAL REGISTER PROPERTIES IN TYLER			
PROPERTY	LOCATION	YEAR BUILT	DATE OF LISTING
Goodman-LeGrand House	624 North Broadway Avenue	1859	1976
Bonner-Whitaker-McClendon House	806 West Houston Street	1878	1982
Smith County Jail (1881)	309 East Erwin Street	1881	1996
Marvin United Methodist Church	300 West Erwin Street	1890	2000
St. James Colored Methodist Episcopal Church	408 North Border Avenue	1891	2004
Tyler Hydraulic-Fill Dam	Off Hwy 31W at Bellwood Lake	1894	1977
Williams-Anderson House	1313 West Claude Street	1900	2002
John B. and Ketura Douglas House	318 South Fannin Avenue	1902	1997
Ramey-Grainger House	605 South Broadway Avenue	1903	1982
Carnegie Public Library	125 South College Avenue	1904	1979
St. Louis Southwestern Railway (Cotton Belt) Passenger Depot	100 block of East Oakwood at North Spring Street	1905	2001
Tyler Grocery Company	416 North Broadway Avenue	1912	2002
Moore Grocery Company Building	408 North Broadway Avenue	1913	2002

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Martin Hall at Texas College (Administration Building)	2404 North Grand Avenue	1924	2005
Crescent Laundry	312-320 East Ferguson Street	1927	2002
Jenkins-Harvey Super Service Station and Garage	124 South College Avenue	1929	2002
People's National Bank Building	102 North College Avenue	1932	2002
St. John's AF & AM Lodge (Tyler Masonic Lodge)	323 West Front Street	1932	2005
U.S. Post Office and Courthouse	211 West Ferguson Street	1933	2001
Blackstone Building	315 North Broadway Avenue	1938	2002
Elks Club Building	202 South Broadway Avenue	1949	2002
Cotton Belt Building	1517 West Front Street	1954	2005

Source: Texas Historical Commission

NATIONAL REGISTER DISTRICTS IN TYLER			
NAME	CONTRIBUTING RESOURCES	NON-CONTRIBUTING RESOURCES	DATE LISTED IN NATIONAL REGISTER
Charnwood District	166 buildings and 42 structures	98 buildings, 21 structures, and 4 objects	1999
Donnybrook Duplex District	24 buildings, 3 structures, and 1 site	8 buildings and 1 structure	2002
East Ferguson Street District	8 buildings, 3 structures, and 1 site	1 building	2002
Short-Line District	9 buildings	2 buildings	2002
Azalea District	1,023 buildings, 22 structures, 1 site, and 1 object	502 buildings and 65 structures	2003
Brick Streets District	352 buildings and 17 structures	178 buildings and 39 structures	2004
<p>NOTE: The National Park Service defines a "building" as "a structure created to shelter any form of human activity." This usually refers to a dwelling or commercial building, but also includes sheds, garages, and barns. "Structures" usually are infrastructure or engineering projects, like bridges, water towers, canals, or highways, but the category also includes property features such as fences/walls or gazebos. "Objects" are things that are movable, but related to a specific historic environment, such as statues, monuments, or fountains.</p>			

Source: Texas Historical Commission

National Register properties must be at least 50 years old at the time of designation, although some special exceptions have been made. The designation may cover a historic building or structure that has not been moved from its original site or a historic landscape. A property can be designated individually or as part of a National Register historic district. In the case of historic districts, properties within the district boundary will be identified as "contributing" or "non-contributing." "Non-contributing" properties are those which are less than 50 years old, have different design characteristics from most district properties, or which have had their historic integrity compromised by inappropriate alterations. Most large districts contain non-contributing properties; in each of Tyler's large National Register

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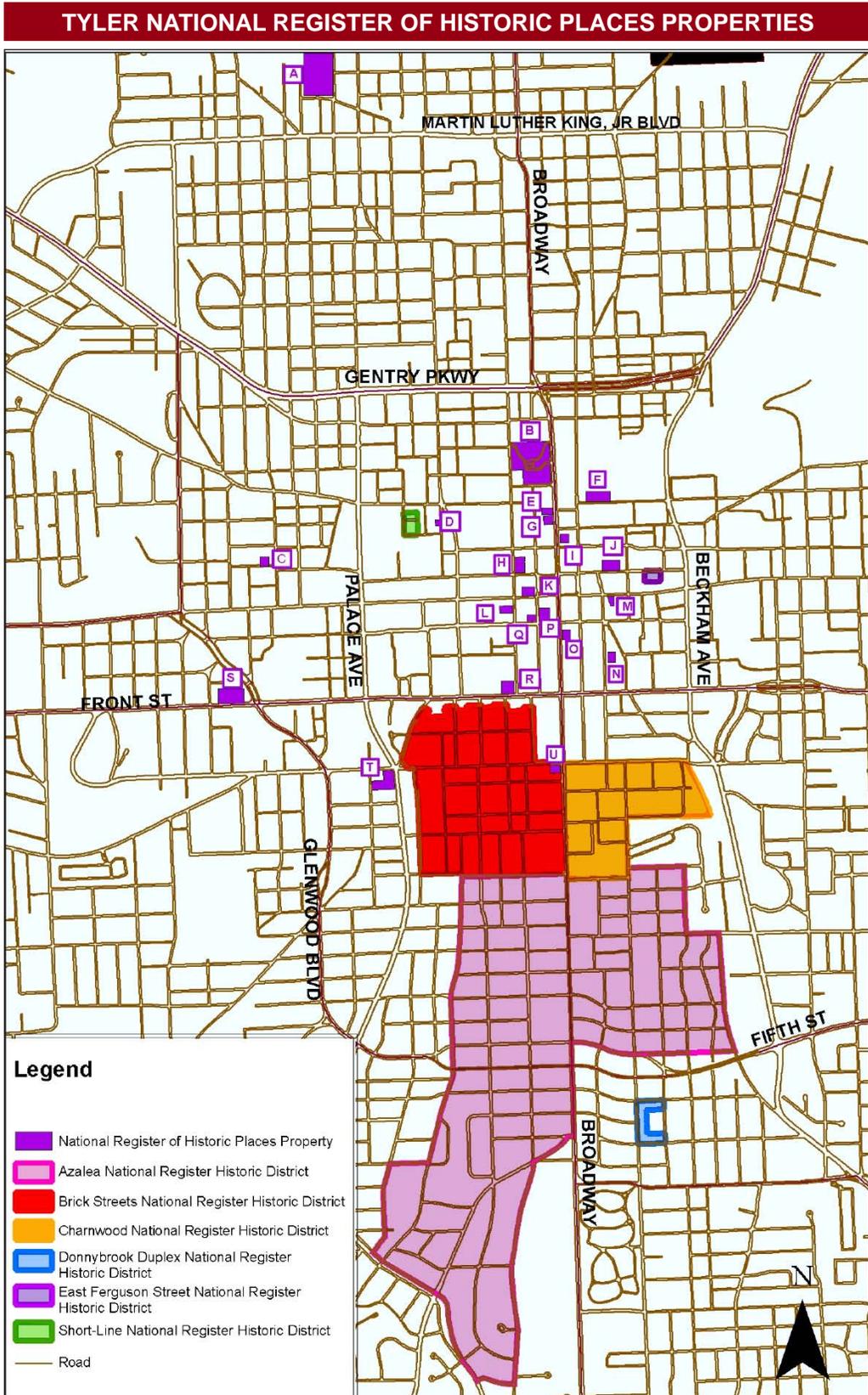
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districts, approximately 1/3 of properties in the district areas are identified as “non-contributing.” Each property recognized as contributing to a National Register historic district may not be as historically significant as an individually-designated property. It is the role that the property plays in helping create the district environment that is important. Many contributing district properties in Tyler could not achieve National Register designation as individual properties; however, they are still valuable as elements that combine to form a distinct neighborhood character.

Section 106 of the National Historic Preservation Act requires federal projects that may have an adverse impact on National Register properties to study and report on alternatives to the adverse actions and attempt to avoid affecting the property. Otherwise, listing on the National Register is honorific. Listing requires sophisticated documentation, usually prepared by a trained consultant, but the listing itself provides little protection for a historic property. National Register designation can only occur with owner approval in the case of individual properties and approval of more than 50% of property owners in the case of a district, and it does not prevent an owner from altering or tearing down his or her property. In the event of an alteration that removes or damages historically-significant features, the only thing the National Park Service is empowered to do is remove the National Register designation. No design review is associated with National Register listing.

### MAP KEY: TYLER INDIVIDUAL NATIONAL REGISTER PROPERTIES

- |  |  |
|--|--|
| A. Martin Hall, Texas College (1924)                                   | M. Smith County Jail (1881)                                |
| B. Goodman-LeGrand House (1859)  | N. John B. and Ketura Douglas House (1902)                 |
| C. Williams-Anderson House (1900)                                      | O. Elks Club Building (1949)                               |
| D. St. James C.M.E. Church (1891)                                      | P. Jenkins-Harvey Super Service Station and Garage (1929)  |
| E. Tyler Grocery Company (1912)  | Q. Carnegie Library (1904)                                 |
| F. St. Louis Southwestern Railway (Cotton Belt) Passenger Depot (1905) | R. St. John's AF and AM Lodge (Tyler Masonic Lodge) (1932) |
| G. Moore Grocery Company Building (1913)                               | S. Cotton Belt Building (1954)                             |
| H. U.S. Post Office and Courthouse (1933)                              | T. Bonner-Whitaker-McClendon House (1878)                  |
| I. Blackstone Building (1938)  | U. Ramey-Grainger House (1903)                             |
| J. Crescent Laundry (1927)   | **Not shown: Tyler Hydraulic-Fill Dam on Highway 31W       |
| K. People's National Bank Building (1932)                              |  |
| L. Marvin United Methodist Church (1890)                               |  |



Source: City of Tyler GIS data

## PROPERTIES WITH STATE HISTORIC DESIGNATIONS

### State-Level Designation

State-level designation recognizes historic properties that are of statewide importance. In many states, this takes the form of a State Register of Historic Places, which is simply a state version of the National Register. Texas has a State Register that includes National Register properties, state archaeological landmarks, and Recorded Texas Historic Landmarks.

### Recorded Texas Historic Landmarks

Tyler has 10 properties of statewide importance that have been designated state landmarks (RTHLs). They can be identified by distinctive medallions that the Texas Historical Commission places on these properties. Several of these RTHLs are also National Register properties because they are of greater than local importance: the Bonner-Whitaker-McClendon House, the Douglas House, the Goodman-LeGrand House, Marvin United Methodist Church, the Ramey-Grainger House, and the 1881 Smith County Jail. Unlike National Register listing, however, RTHL designation can be granted to a historic property that has been moved from its original site. Two RTHL properties have been moved from their original sites in Tyler and now lie outside of the city limits: the Bell House and the Philips House, both of which were designated Recorded Texas Historic Landmarks in 1978.



Patterson House, with Texas Historical Commission RTHL Medallion

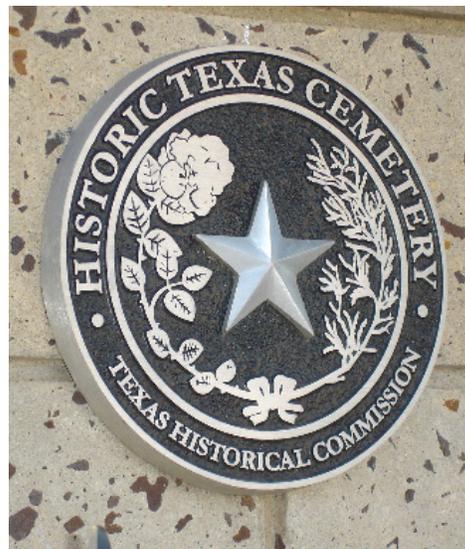
The Texas Historical Commission (THC) administers the Recorded Texas Historic Landmarks program. Like National Register listing, a property must be at least 50 years old to be considered for designation and owner approval must be obtained prior to designation. Listing on the National Register generally helps a property obtain RTHL designation, but National Register listing does not automatically mean that a property will also be considered eligible for the RTHL designation. RTHL designation can make the property eligible for state preservation grants and local tax exemptions (with the approval of the local governing body).

RTHL designation provides limited protection against inappropriate alterations. An owner must notify the Texas Historical Commission 60 days prior to the start of any work on the property that involves actions beyond regular maintenance. The THC may impose an additional 30-day waiting period, but at the end of this period, the property owner may proceed with the action. If the owner starts work before the expiration of the waiting period, he or she may be subject to a civil penalty. The intent of these waiting period provisions is to give the THC time to work with the owner to enhance the property's chances for appropriate preservation techniques.

### Texas Historical Subject Marker Program

The Texas Historical Commission also administers a historical subject marker program which provides additional identification to properties of historic importance. Tyler has 23 historical subject markers that are associated with buildings, sites, and themes, including Oakwood Cemetery, the Smith County Rose Industry and the Tyler Rose Garden, Murphey the Jeweler, the Confederate Arms Factory on Mockingbird Lane, Thomas Bonner at Bonner Elementary School, and Smith County as a Nineteenth-Century Legal Center in downtown Tyler.

This program has been in operation for over 40 years and has placed over 13,000 markers throughout the state. The markers are designed to be educational, with text that reveals the importance of the subjects to the local community. Although many of these markers identify buildings of architectural importance, they do not have to attach to a particular building; markers may identify an important person or entity that has a historical association with a particular location. Properties or events that qualify for historical subject markers must be at least 50 years old (although exceptions are granted), and a person honored by a marker must be deceased at least ten years. Any individual may apply for a historical subject marker, but the application has to be supported by the county historical commission and a detailed historical study must be prepared in support of the application.



Texas Historical Commission subject marker at Oakwood Cemetery

### Properties Listed on the State Register of Historic Places

Texas state law declares that any property listed on the National Register, designated as a Recorded Texas Historic Landmark or State Archaeological Landmark, or participating in the historic marker program automatically is placed on the State Register of Historic Places. This listing does not place additional restrictions on a property, nor does it provide any additional benefits.

STATE-DESIGNATED HISTORIC PROPERTIES IN TYLER			
NAME OF PROPERTY	LOCATION	YEAR BUILT	YEAR DESIGNATED
RECORDED TEXAS HISTORIC LANDMARKS (RTHL)			
Patterson House	1311 West Oakwood Street	c. 1854	1975
Goodman-LeGrand House	624 North Broadway Avenue	1859	1964
Bonner-Whitaker-McClendon House	806 West Houston Street	1878	1988
Smith County Jail (1881)	309 East Erwin Street	1881	1993

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STATE-DESIGNATED HISTORIC PROPERTIES IN TYLER			
NAME OF PROPERTY	LOCATION	YEAR BUILT	YEAR DESIGNATED
Marvin United Methodist Church	300 West Erwin Street	1890	1968
Douglas House	318 South Fannin Avenue	1902	1998
Ramey-Grainger House	605 South Broadway Avenue	1903	1997
Connally-Musselman House	700 South Broadway Avenue	1904	1983
First Baptist Church of Tyler	301 West Ferguson Street	1911	1987
Tyler Woman's Building	911 South Broadway Avenue	1932	1990
HISTORICAL SUBJECT MARKER PROGRAM			
James Calhoun Hill	Meador Cemetery	1807-1879	1978
Colonel Richard B. Hubbard	Hubbard Middle School, 1300 Hubbard Drive	1832-1901	1963
Thomas Bonner	Bonner Elementary School, 235 South Saunders Street	1836-1891	1963
Major Douglas	Douglas Elementary, 1508 North Haynie Street	1836-1901	1963
City of Tyler	Smith County Courthouse, Broadway Avenue and East Erwin Street	1846-present	1968
Oakwood Cemetery	Oakwood Street and North Palace Avenue	1846-present	1978
Smith County as a 19 <sup>th</sup> Century Legal Center	Smith County Courthouse, Broadway Avenue and East Erwin Street	1846-present	1992
Colonel Bryan Marsh	Marsh Elementary School, 700 block of North Bois d'Arc Avenue	1850-1900	1963
First Christian Church of Tyler	4202 South Broadway Avenue	1859-present	1984
Confederate Arms Factory	Mockingbird Lane and Robertson Street	1861-1865	1936
Smith County C.S.A.	Smith County Courthouse, Broadway Avenue and East Erwin Street	1861-1865	1963
Tyler Confederate Ordnance Plant	Bergfeld Park, South College Avenue and West 4 <sup>th</sup> Street	1861-1865	1969
Christ Episcopal Church	118 North Bois d'Arc Avenue	1866-present	1981
Murphey the Jeweler	219 North Spring Street	1868-present	1985
Smith County Rose Industry and Tyler Rose Garden	Rose Garden Center, West Front Street	1870-present	1975
Tyler Tap Railroad	500 block of North Broadway Avenue at the railroad	1871-1879	1975
Cedar Street United Methodist Church	1420 North Church Street	1887-present	1989
First Smith County Agricultural Extension Agent	Broadway Avenue at East Erwin Street	1906	1971
Gary Elementary	730 South Chilton Street	1907-present	1994
Tyler Junior College	1400 East 5 <sup>th</sup> Street	1926-present	2001

STATE-DESIGNATED HISTORIC PROPERTIES IN TYLER			
NAME OF PROPERTY	LOCATION	YEAR BUILT	YEAR DESIGNATED
Judge Donley	Oakwood Cemetery	—	1936
Henry Miller Morgan	212 East Erwin Street	—	2004
Yarbrough Building	106 East Ferguson Street	Not available	1980

Source: Texas Historical Commission

### CITY HISTORIC DESIGNATIONS

Tyler’s historic preservation ordinance, passed in 1982, authorizes the designation of local historic landmarks, which can include “historic sites, districts, structures, or areas.” Tyler has 65 individual properties identified as local historic landmarks. These include a variety of properties, such as churches, public buildings, parks, and commercial properties, but the majority of the properties in the landmark program are private residences. No local historic districts have been designated in Tyler.



White House, Lindsey Lane



Marvin United Methodist Church, West Erwin Street



Glass Library at Texas College, North Grand Avenue

## Chapter 6 :: HISTORIC PRESERVATION



Mc Kinney House, South College Avenue



Woldert House, Woldert Street

TYLER HISTORIC LANDMARKS		
PROPERTY	LOCATION	YEAR BUILT
Oakwood Cemetery	400 North Palace Avenue	1846
Patterson House	1311 West Oakwood Street	c. 1854
Goodman-LeGrand House	624 North Broadway Avenue	1859
Ramsour House	504 East Charnwood Street	c. 1862
Morrell-Pinkerton House	415 East Charnwood Street	1863
Bonner-Whitaker-McClendon House	806 West Houston Street	1878
Smith County Jail	309 East Erwin Street	1881
McCord-Blackwell House	1320 North Bois d'Arc Avenue	c. 1884
Woldert-Spence-Heaton Manor	611 West Woldert Street	c. 1884
Hanson-Cooper House	412 East Charnwood Street	1885
B.W. Rowland-Liebreich Building	100-104 West Erwin Street	1888
Bonner House	625 South Vine Avenue	1888
Mathis-Albertson House	823 South Palace Avenue	1888
Marvin United Methodist Church	300 West Erwin Street	1890
Smith-Butler House	419 West Houston Street	1890
Bethlehem First Baptist Church	1121 West Lollar Street	1891
Saint James Christian Methodist Episcopal Church	408 North Border Avenue	1891
Roy G. Robertson Farmhouse	204 Lindsey Lane	1894
Lindsey House	416 East Charnwood Street	1895
Fitzgerald House	815 South Broadway Avenue	1898
Virginia and R.K. Bonner House	826 South Robertson Street	1902
Ramey-Grainger House	605 South Broadway Avenue	1903

TYLER HISTORIC LANDMARKS		
PROPERTY	LOCATION	YEAR BUILT
Carnegie Library	125 South College Avenue	1904
Connally-Musselman House	700 South Broadway Avenue	1904
Woldert House	604 Woldert Street	1906
Arratt-Odd Fellows Building	220 ½ West Erwin Street	1907
Boren House	806 South Broadway Avenue	1908
Gary Elementary School	730 South Chilton Avenue	1908
First Baptist Church	301 West Ferguson Street	1911
Florence House	700 North Moore Avenue	1911
Littlejohn House	313 East Charnwood Street	c. 1911
Bergfeld Park and Amphitheatre	1510 South College Avenue	1913
Moore Grocery Company Building	408 North Broadway Avenue	1913
Bonner Elementary School	235 South Saunders Avenue	1917
Texas College, J.C. Martin Hall (Administration Building)	2404 North Grand Avenue	1924
Lindsey-Owens House	902 South College Avenue	1926
Fair House	1505 South Robertson Avenue	1927
Campbell-Richardson House	922 South College Avenue	1928
Childers House	625 West Dobbs Street	1929
James S. Hogg Middle School	920 South Broadway Avenue	1929
White House	116 Lindsey Lane	1929
Barton-Vanderpool House	440 South Vine Avenue	1930
Birdsong House	518 West Mockingbird Lane	1931
Thomas Jefferson, Sr. and Annie Mae Givens House	2209 North Grand Street	1931
Judge the Florist	1215 South Broadway Avenue	1931
McKinney House	1503 South College Avenue	1931
Saleh-Witt House	1208 South College Avenue	1931
Tyler Woman's Building	911 South Broadway Avenue	1932
Willett-Bryant House	621 South Fannin Street	1932
Witherup House	212 West Dobbs Street	1932
U.S. Post Office and Courthouse	211 West Ferguson Street	1933
Cathedral of the Immaculate Conception	423 South Broadway Avenue	1934
Ulmer House	1608 South Chilton Avenue	1934
Pollard House	801 Troup Highway	1935
Tyler Little Theatre	1014 West Houston Street	1939

## Chapter 6 :: HISTORIC PRESERVATION

TYLER HISTORIC LANDMARKS		
PROPERTY	LOCATION	YEAR BUILT
James House	322 West Fifth Street	1940
Texas College, Gus F. Taylor Gymnasium	2404 North Grand Avenue	1940
City Park Spring Pond	200 West Queen Street	1941
Texas College, President's House	2404 North Grand Avenue	1944
S.H. Kress Building	116 West Erwin Street	1947-1948
M.P. Timms House	704 West Oakwood Street	1949-1950
Texas College, D.R. Glass Library	2404 North Grand Avenue	1950
Tyler Negro Public Library	1400 West Lollar Street	1950
Tyler Rose Garden	420 Rose Park Drive	1952
Moses P. Timms Educational Building, True Vine Baptist Church	711 West Oakwood Street	1955

Source: City of Tyler Department of Planning and Zoning

State law authorizes the creation of local landmarks and historic districts, and properties considered to be of local historic importance may be recommended by the historic preservation board/commission and designated by the local governing body. Designation as a local landmark or district can provide significant protection for a property against demolition or historically-inappropriate alterations. Usually, the historic preservation board/commission performs design review of exterior alterations, such as additions and replacement of historic materials, and issues permits called Certificates of Appropriateness (COAs) that allow work to proceed. Without a COA, an owner will not be allowed to make changes to the exterior of his or her locally-designated property. The municipal historic preservation board/commission typically has no jurisdiction over the interiors of local historic properties.

The standards for Tyler Historic Landmark designation cover a broad range of historic properties, many of which may also be included on the State and National Registers. Most of Tyler's National Register individual properties and Recorded Texas Historical Landmarks have also been designated as local landmarks. However, local designation may apply to properties that are of purely local significance or that may not meet the higher standards set by state- and federal-level programs. The standards included in Tyler's historic preservation ordinance allow flexibility to include many local properties which, although over 50 years old, may have experienced too many alterations or may not have enough historical



St. James CME Church, a Tyler Historic Landmark on North Border Avenue

connections to meet more stringent historic preservation standards. Participation in Tyler's local landmark program is purely voluntary; no designation may occur without the property owner's consent.

**EVALUATION CRITERIA FOR TYLER HISTORIC LANDMARKS  
(HISTORICAL PRESERVATION ORDINANCE, § 10-22[D])**

- Character, interest, or value as part of the development, heritage, or cultural characteristics of the City, State, or United States
- Distinguishing characteristics of an architectural type or specimen
- Elements of architectural design, detail, materials, or craftsmanship, which represent a significant architectural innovation
- Relationship to other distinctive buildings, sites, districts, or areas which are eligible for preservation according to a plan based on architectural, historic, or cultural motif
- Portrayal of the environment of a group of people in an area of history characterized by a distinctive architectural style
- Exemplification of the cultural, economic, social, ethnic, or historical heritage of the City, State, or United States
- Location as the site of a significant historic event
- Identification with a person(s) who significantly contributed to the culture and development of the City, State, or United States
- Value as an aspect of community sentiment or public pride
- Identification as the work of a designer, architect, or builder whose work influenced City growth or development
- Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community, or the City
- Archaeological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest
- Demonstrated ability of the property owner to maintain the structure, site, or area in a sanitary, aesthetic, or lawful manner

All proposed significant exterior alterations to a local landmark must be reviewed by the Historical Preservation Board and the City Council. The city's historic preservation ordinance mandates review of actions that would "construct, reconstruct, alter, change, restore, remove, or demolish any exterior architectural feature." This includes relocation of buildings/structures on the property. A Certificate of Appropriateness (COA) is required for any alterations to go forward. In the COA application, the applicant is required to provide details about the proposed alterations, such as elevation drawings and a description of the proposed work. The HPB reviews this information and measures it against the Secretary of the Interior's Standards for Rehabilitation, ten broad standards written by the National Park Service that provide guidance for changes to historic buildings. If the HPB determines that the proposed changes will not harm the historic property, it makes a written recommendation to the City Council that the proposed work be approved under a COA. Only four Certificates of Appropriateness have been reviewed by the HPB in the last four years; three of these projects have been completed.

### SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION OF HISTORIC PROPERTIES

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 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.

Source: National Park Service

Sites, structures, or areas of historic significance can only be placed on the Tyler Historic Landmark Register with the permission of the property owner. Under the language of Tyler's ordinance, a local historic district essentially would be a group of local landmarks. This means that creation of a local historic district would require the consent of 100% of the property owners in the proposed district. Owners of properties in a local historic district would have to obtain Certificates of Appropriateness for any significant exterior alterations to their properties. No additional restrictions would attach to a local historic district beyond those placed on individual local landmarks.

If a property owner no longer wishes to have his or her historic property fall under the local landmark regulation, he or she may request that the City Council remove the historic designation. Because of the voluntary nature of the designation, properties viewed by many members of the community as historically important may not achieve landmark status if their owners do not wish to participate in the program.



Tyler Rose Garden, Rose Park Drive



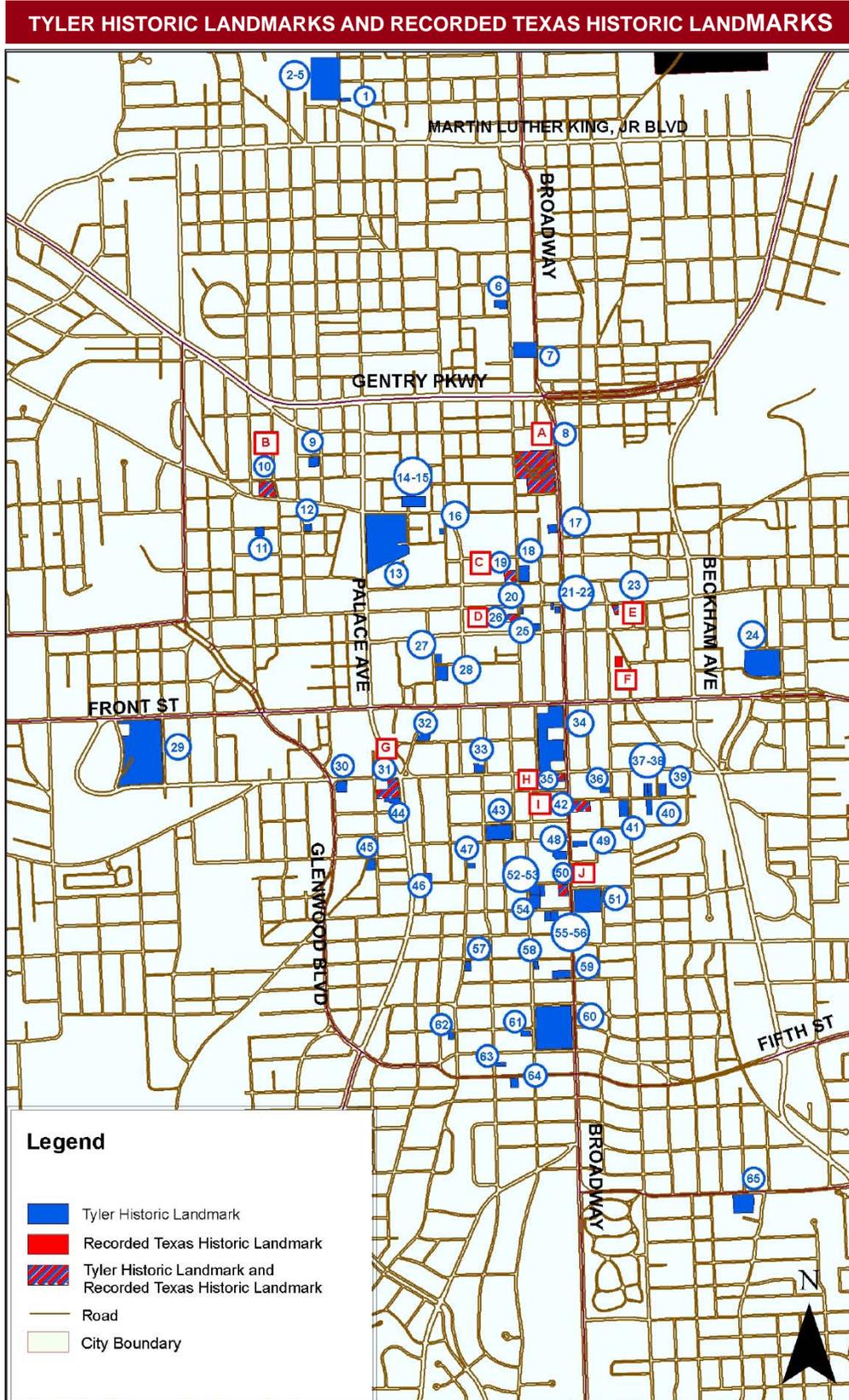
Florence House, North Moore Avenue



U.S. Post Office and Courthouse, West Ferguson Street



Hogg Middle School, South Broadway Avenue



**MAP KEY: TYLER HISTORIC LANDMARKS AND RECORDED TEXAS HISTORIC LANDMARKS**

**Tyler Historic Landmarks**

1. Thomas Jefferson, Sr. and Annie May Givens House (1931)
2. Texas College, J.C. Martin Hall (Administration Building) (1924)
3. Texas College, President's House (1944)
4. Texas College, Gus F. Taylor Gymnasium (1940)
5. Texas College, D.R. Glass Library (1950)
6. McCord-Blackwell House (c. 1884)
7. City Park Spring Pond (1941)
8. Goodman-LeGrand House (1859)
9. Florence House (1911)
10. Patterson House (c. 1854)
11. Tyler Negro Public Library (1950)
12. Bethlehem First Baptist Church (1891)
13. Oakwood Cemetery (1846)
14. M.P. Timms House (1949-1950)
15. True Vine Baptist Church, Moses P. Timms Educational Building (1955)
16. St. James C.M.E. Church (1891)
17. Swann-Moore-Dennard Building (1913)
18. U.S. Post Office and Courthouse (1933)
19. First Baptist Church (1911)
20. Arratt-Odd Fellows Building (1907)
21. S.H. Kress Building (1947-1948)
22. B.W. Rowland-Liebreich Building (1888)
23. 1881 Smith County Jail (1881)
24. Bonner Elementary School (1917)
25. Carnegie Library (1904)
26. Marvin United Methodist Church (1890)
27. Woldert-Spence Manor (c. 1884)
28. Woldert House (1906)
29. Tyler Municipal Rose Garden (1952)
30. Tyler Little Theatre (1939)
31. Bonner-Whitaker-McClendon House (1878)
32. Barton-Vanderpool House (1930)
33. Smith-Butler House (1890)
34. Cathedral of the Immaculate Conception (1934)
35. Ramey-Grainger House (1903)
36. Willett-Bryant House (1932)
37. Lindsey House (1895)
38. Hanson-Cooper House (1885)
39. Ramsour House (c. 1862)

40. Morrell-Pinkerton House (1863)
41. Littlejohn House (c. 1911)
42. Connally-Musselman House (1904)
43. Gary Elementary School (1908)
44. Bonner House (1888)
45. Mathis-Albertson House (1888)
46. Childers House (1929)
47. Virginia and R.K. Bonner House (1902)
48. Fitzgerald House (1898)
49. Boren House (1908)
50. Tyler Woman's Building (1932)
51. Hogg Middle School (1929)
52. Lindsey-Owens House (1926)
53. Witherup House (1932)
54. Campbell-Richardson House (1928)
55. Robertson House (1894)
56. White House (1929)
57. Birdsong House (1931)
58. Saleh-Witt House (1931)
59. Judge the Florist (1931)
60. Bergfeld Park and Amphitheatre (1913)
61. McKinney House (1931)
62. Fair House (1927)
63. Ulmer House (1934)
64. James House (1940)
65. Pollard House (1935)

**Recorded Texas Historic Landmarks**

- A. Goodman-LeGrand House (1859)
- B. Patterson House (c. 1854)
- C. First Baptist Church of Tyler (1911)
- D. Marvin United Methodist Church (1890)
- E. Smith County Jail (1881)
- F. Douglas House (1902)
- G. Bonner-Whitaker-McClendon House (1878)
- H. Ramey-Grainger House (1903)
- I. Connally-Musselman House (1904)
- J. Tyler Woman's Building (1932)

## Chapter 6 :: HISTORIC PRESERVATION

PROPERTIES WITH MULTIPLE HISTORIC DESIGNATIONS				
NAME	National Register of Historic Places Individual Property	National Register of Historic Places District Property	Recorded Texas Historic Landmark or Historic Texas Cemetery	Tyler Historic Landmark
Oakwood Cemetery (1846)			•	•
Patterson House (c. 1854)			•	•
Goodman-LeGrand House (1859)	•		•	•
Ramsour House (c. 1862)		•		•
Morrell-Pinkerton House (1863)		•		•
Bonner-Whitaker-McClendon House (1878)	•		•	•
Smith County Jail (1881)	•		•	•
Hanson-Cooper House (1895)		•		•
Marvin United Methodist Church (1890)	•		•	•
Smith-Butler House (1890)		•		•
St. James Christian Methodist Episcopal Church (1891)	•			•
Robertson House (1894)		•		•
Lindsey House (1895)		•		•
Fitzgerald House (1898)		•		•
Virginia and R.K. Bonner House (1902)		•		•
Douglas House (1902)	•		•	
Ramey-Grainger House (1903)	•		•	•
Carnegie Library (1904)	•			•
Connally-Musselman House (1904)		•	•	•
Boren House (1908)		•		•
Gary Elementary School (1908)		•		•
First Baptist Church (1911)			•	•
Littlejohn House (c. 1911)		•		•
Bergfeld Park and Amphitheatre (1913)		•		•
Moore Grocery Company (1913)	•			•
Martin Hall at Texas College (1924)	•			•
Lindsey-Owens House (1926)		•		•
Campbell-Richardson House (1928)		•		•
Childers House (1929)		•		•
Hogg Middle School (1929)		•		•
White House (1929)		•		•
Barton-Vanderpool House (1930)		•		•
Birdsong House (1931)		•		•
Judge the Florist (1931)		•		•
McKinney House (1931)		•		•
Saleh-Witt House (1931)		•		•
Tyler Woman's Building (1932)		•	•	•
Willet-Bryant House (1932)		•		•
Witherup House (1932)		•		•
U.S. Post Office and Courthouse (1933)	•			•
Ulmer House (1934)		•		•
James House (1940)		•		•

## HISTORIC PRESERVATION ORGANIZATIONS IN TYLER

### Historical Preservation Board

Tyler has two major organizations devoted to historic preservation: the City's Historical Preservation Board and Historic Tyler, Inc., a non-profit organization. The nine-member Historical Preservation Board (HPB), created in 1976, is the municipal entity authorized to conduct studies and recommend properties to the City Council for designation as local historic landmarks, review external changes to designated local landmarks for historical appropriateness, help coordinate preservation projects, and locate sources of funding for these projects. The HPB is also responsible for public education, preservation advocacy, and providing technical assistance to owners of local historic landmarks in Tyler. The municipal ordinance creating the board requires that the members have expertise or demonstrated interest in historic preservation issues. Appointed by the City Council, members of the HPB must include an architect, planner, or design professional; a historian or archaeologist; a real estate professional; an attorney; at least one owner of a designated historic property; and the executive director of Historic Tyler, Inc. The HPB is staffed by two City employees: a planner and the Director of the Department of Planning and Zoning.



The HPB provides special plaques for Tyler's local landmarks.

Although the HPB is charged with numerous preservation duties, it serves only as an advisory board to the City Council. The City Council designates local historic landmarks and issues Certificates of Appropriateness (COAs). The HPB may undertake studies to determine a property's historic significance and it reviews proposed alterations to local landmarks for historic appropriateness. The HPB then makes recommendations for City Council action.

The HPB develops an annual list of goals and objectives to guide its activities. The current list includes updating local landmark records, preparing National Register nominations, working further on the citywide survey of historic properties, and providing more public outreach and education. The HPB also provides plaques for newly-designated local landmarks.

Historic preservation activity is funded annually by the City of Tyler. In FY 2005-2006, the City allocated \$9,250 for the HPB's preservation activities. The majority of this money (over \$7,000) was spent on survey work by a professional consultant for a public information booklet about Tyler's local landmarks. Approximately \$1,300 was spent on printing costs, and other funds were spent on educational workshops for HPB members and local landmark plaques. Funds allocated for HPB activities do not go toward paying the salary of the planner who advises the HPB. The FY 2006-2007 budget again allocates \$9,250 to the HPB for preservation activities.

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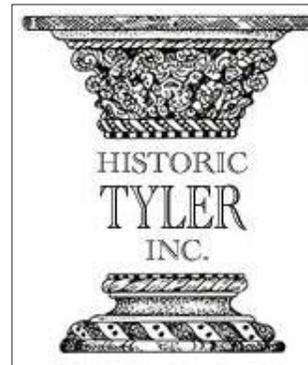
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The HPB may also receive funds from other sources on a competitive basis. The HPB is eligible for small grants from the Texas Historical Commission (THC), the state agency in charge of historic resources, because the City of Tyler is a member of the Certified Local Government (CLG) Program. To become a Certified Local Government, a municipality must demonstrate that it enforces state or local legislation designed to protect historic properties, has a qualified historic preservation board, has a system for surveying properties of historic significance, and encourages public participation in historic preservation activities. Since Tyler meets these criteria, the HPB may apply to the THC for small grants that cover activities such as training workshops for HPB members, promotional materials, historical survey work, preservation planning, and work on nominations for the National Register of Historic Places. Grants usually range from \$250 to \$10,000 and are awarded annually in a competitive process. Additional grants for preservation activities may be available from the National Trust for Historic Preservation.

The HPB also receives training and technical assistance from the Texas Historical Commission. The THC provides regional workshops, an annual statewide conference, and other activities that are designed to enhance the professional knowledge of preservation staff and commission members.

### Historic Tyler, Inc.

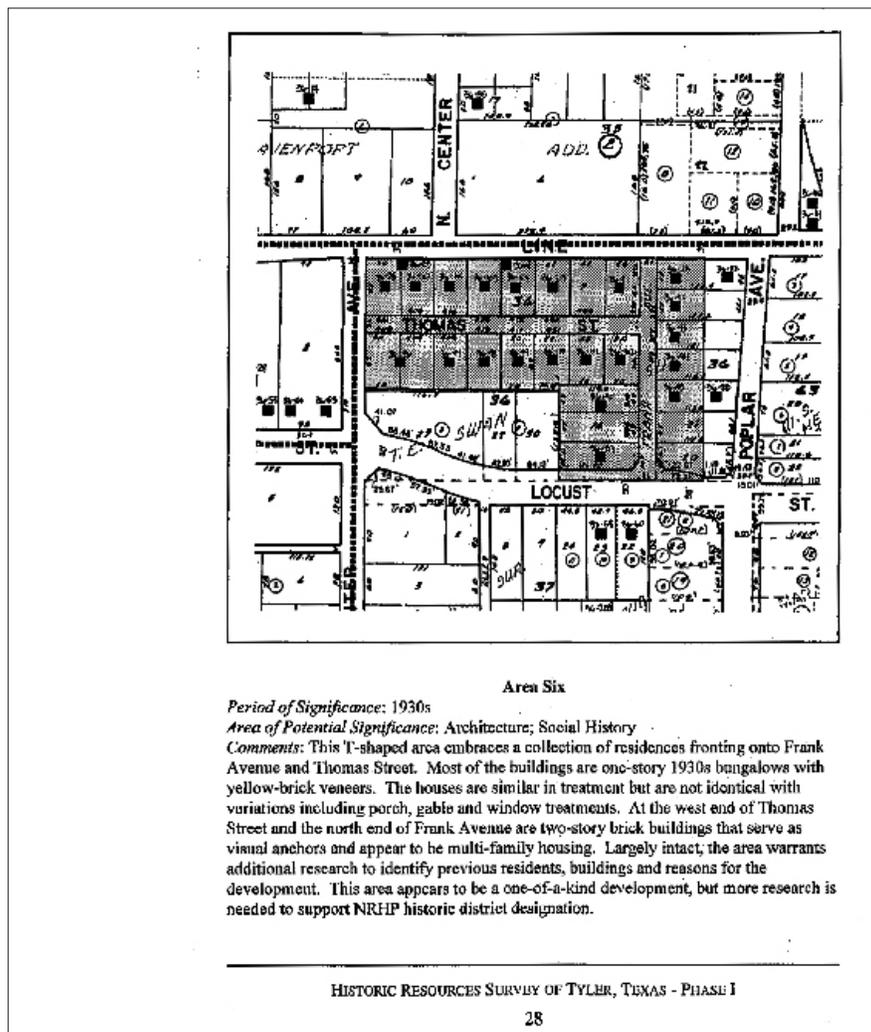
Founded in 1977 and granted non-profit 501(c)(3) status in 1978, Historic Tyler has worked for almost 30 years to preserve Tyler's landmarks and to educate the public about the benefits of historic preservation. Historic Tyler is led by a full-time executive director and a 22-member board. The organization counts over 400 members, each of whom supports Historic Tyler through annual dues. Historic Tyler has played an advocacy role in preserving several of Tyler's historic properties, including the Carnegie Library, the former Smith County Jail, the Bonner-Whitaker-McClendon House, and the Coates-Gaffney Clinic. Recently, Historic Tyler became a member of the National Trust for Historic Preservation's Statewide and Local Partners Program, which provides technical assistance, support, education activities, and leads for funding to state and local non-profit preservation groups.



Historic Tyler's leadership role in identifying historic properties has been critical to historic preservation in Tyler. Historic Tyler has been involved in National Register nominations for all of Tyler's historic districts and many of its individually-listed properties. In 1994, it sponsored a multi-phase inventory of Tyler's buildings, structures, and objects that are at least fifty years old. Beginning with the downtown area, the survey recorded property types, styles, and construction dates and assigned a priority status to each property. The survey, conducted by consultant Diane Williams from Austin, TX, concluded in 1999 after evaluating over 7,000 properties. The survey served as preparation for the nomination of the Charnwood Residential District to the National Register of Historic Places (and subsequent National Register district nominations). However, it has not been updated since 1995-1999 to include properties that have recently aged into the "50 years or older" category.

Historic Tyler's most well-known public activity is its annual tour of historic homes and

gardens, held each spring during the Azalea Trail season. In addition, Historic Tyler also gives an annual Preservation Award to an individual or entity that has done outstanding work in rehabilitating a historic property or saving one of Tyler's historic properties from destruction.



Page from Historic Resources Survey of Tyler-Phase I



## Smith County Historical Society

Founded in 1959, the Smith County Historical Society's mission has been to discover, collect, preserve and interpret the historical heritage and prehistory of Smith County. The Society maintains a museum of archival collections, publishes a periodical, and other materials related to Smith County history.



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Collections are housed in the 1904 Carnegie library building located downtown on College Avenue which is owned by the City of Tyler. The Society is supported by a membership of more than 250 individuals, families, and businesses.

The Society works closely with the Smith County Historical Commission; reviewing historical marker applications and coordinating marker ceremonies in the County. The Society has a long and impressive history of writing, reviewing, approving and even funding historical markers.

## **B. Additional Historic Preservation Tools and Strategies**

The Tyler historic preservation community has much to be proud of and its efforts have made an incalculable contribution to Tyler's character and quality of life. However, there are preservation tools that are little used or not yet used in Tyler that may prove valuable for achieving the City's historic preservation goals.

### **DEMOLITION DELAY OF HISTORIC PROPERTIES**

Many states authorize local governments to delay the demolition of historic properties. This means that when an owner of a historically-significant property applies for a demolition permit, a delay period may be imposed while an effort is made to find a use for the property that will not require demolition of the historic elements. In some states, anything over 50 years old is deemed historically significant, but others limit significance to properties listed on the National or State Registers or designated as local landmarks or historic districts. The demolition delay period usually ranges from 60 days to one year. Demolition delay does not keep a property from being demolished if no adaptive use can be found for the structure. The impact of the law on property owners is to alert them to the historic significance of the property, encourage them to find a use or a buyer willing to use the property, and make them wait a few months for a demolition permit.

Tyler has a limited form of demolition delay that does not apply to all historic properties and is not a part of the historic preservation ordinance. A type of demolition delay is written into the community development ordinance and pertains to properties at least 50 years old identified as being of historic significance by the Historical Preservation Board and City Council and identified as "substandard" or "unsafe." This provision may not be applied to owner-occupied single-family homes. This means that demolition delay applies only to residential rental properties and commercial/industrial/institutional properties in poor condition. If a property meets the ordinance conditions, the HPB will determine whether a public hearing should be held by the City Council to determine the historic significance of the property. If the City Council finds that the property is historically significant, the HPB will decide whether the historic property could be rehabilitated and potentially designated as a Tyler Historic Landmark, a Recorded Texas Historic Landmark, or as a National Register property. If this is possible, the City Council may impose a delay on the pending demolition for at least 90 days after the HPB recommendation. During this 90-day period, the City must attempt to find a "feasible alternative use" for the property or locate another purchaser who will rehabilitate the property and maintain it in good condition. If this cannot be accomplished within the 90-day period, the historic property may be demolished. Demolition delay has never been used for historic properties in Tyler.

### **NEIGHBORHOOD CONSERVATION DISTRICTS**

Neighborhood Conservation Districts (NCDs) are another approach to protecting historic properties. They provide a mechanism for differing levels of review—from purely advisory

## Chapter 6 :: HISTORIC PRESERVATION

to fully regulatory—for demolition and exterior changes to buildings within a defined area that has a recognized character. The area does not have to meet the criteria for historic districts; instead, it may include properties that are less than 50 years old. Typically, Neighborhood Conservation Districts result from a study of the area that highlights an identifiable neighborhood character. The study recommends which kinds of changes should be subject to advisory review or mandatory review (if any). The review standards within each district are tailored to the special character of that district and may be as rigorous or as loose as the neighborhood desires. For example, a neighborhood may seek to regulate detailed architectural features—much like a historic district—or it may simply seek to define acceptable height, mass, and setbacks. The focus is less on an individual property’s stylistic details and more on basic characteristics that define the entire neighborhood. Design standards in NCDs usually are less restrictive than local historic district regulations. Neighborhood Conservation Districts can be administered by a local historic preservation board/commission, planning board, municipal staff members, or a special neighborhood conservation district commission.

	<b>NEIGHBORHOOD CONSERVATION DISTRICT</b>	<b>LOCAL HISTORIC DISTRICT</b>
<b>Authorization</b>	Municipal ordinance	Municipal ordinance
<b>Purpose</b>	To protect the character of districts that contain properties with similar features; properties do not have to be historically significant	To protect the character of districts with historically-significant properties
<b>Who initiates</b>	Residents of the proposed district or a municipal board, such as a Historic Preservation Board or a Planning Commission	Residents of the proposed district or a municipal board, such as a Historic Preservation Commission
<b>Designation</b>	After a study of the area's distinctive design characteristics; approved by the municipal governing board	After a study of the area's historic significance; approved by the municipal governing board
<b>Design review Type</b>	May be advisory or mandatory	Mandatory
<b>Items Covered</b>	May include some or all: <ul style="list-style-type: none"> <li>• Dimensions of new construction and additions</li> <li>• Siting on lot</li> <li>• Building/replacement materials</li> <li>• Siding</li> <li>• Roofs (pitch, roofline, materials)</li> <li>• Exterior walls</li> <li>• Doors</li> <li>• Windows</li> <li>• Entrances and porches</li> <li>• Site plantings/landscaping</li> <li>• Driveway location</li> <li>• Garages and accessory buildings</li> <li>• Paving</li> <li>• Signage</li> <li>• Lighting</li> <li>• Fences and walls</li> </ul>	Usually includes all: <ul style="list-style-type: none"> <li>• Dimensions of new construction and additions</li> <li>• Siting on lot</li> <li>• Building/replacement materials</li> <li>• Siding</li> <li>• Roofs (pitch, roofline, materials)</li> <li>• Exterior walls</li> <li>• Doors</li> <li>• Windows</li> <li>• Entrances and porches</li> <li>• Site plantings/landscaping</li> <li>• Driveway location</li> <li>• Garages and accessory buildings</li> <li>• Paving</li> <li>• Signage</li> <li>• Lighting</li> <li>• Fences and walls</li> <li>• Usually does NOT include paint color</li> </ul>

	NEIGHBORHOOD CONSERVATION DISTRICT	LOCAL HISTORIC DISTRICT
Who approves changes	Municipal staff person, municipal board, or a neighborhood conservation district commission with appointed resident members	Appointed historic preservation commission or municipal governing board
Time required for review of changes	Rapid under administrative review; more lengthy if board/commission review required	30 days or more; applicant must bring application for Certificate of Appropriateness (COA) before the historic preservation commission for review
Demolition review	May include advisory review of demolition permit application	Advisory or binding review of demolition permit application; may have power to deny demolition

Neighborhood Conservation Districts (NCD) exist in a number of states, including Texas. Dallas has been using these districts since 1988 to protect the residential character of distinctive neighborhoods, such as King’s Highway, Lakewood, and North Cliff. In Dallas, applications for alterations to properties in NCDs are reviewed by municipal staff only; no commission or board performs formal reviews.

**DALLAS NEIGHBORHOOD CONSERVATION DISTRICTS**

- A group of individuals who own over 50% of the land in the proposed NCD may petition the City for an eligibility study.
- The proposed district area must contain at least one block of property, be “stable,” have significant architectural or cultural attributes, and have a distinctive character that merits preservation.
- After evaluation of the proposed area, a plan is prepared that outlines what distinctive features of the neighborhood should be protected. The eligibility study usually takes about a year to eighteen months to complete.
- At the end of the study, the Planning Commission holds a public hearing and makes a recommendation to the City Council.
- If the City Council approves the establishment of the NCD after an additional public hearing, an ordinance is prepared for the district that identifies appropriate uses, heights, lot sizes, floor area ratios (FARs), density, setbacks, parking requirements, environmental performance standards, sign requirements, landscaping requirements, and any other provisions deemed necessary to prevent adverse impacts on the district’s properties.

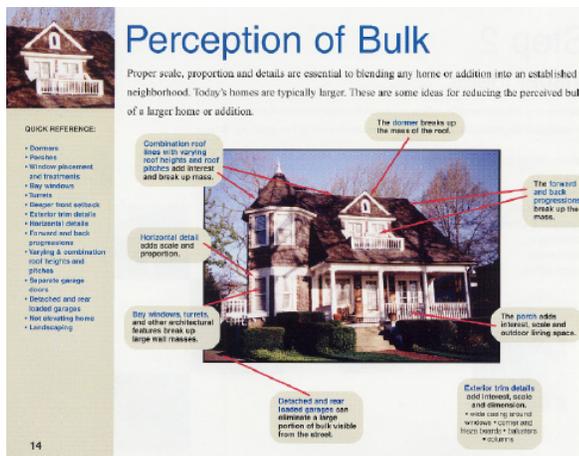
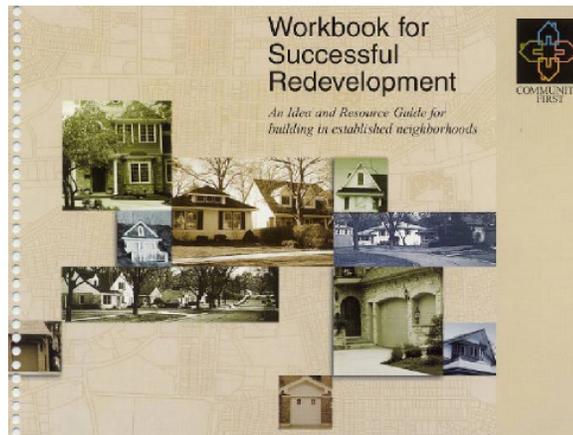
**VOLUNTARY DESIGN GUIDELINES FOR CHANGES IN OLDER NEIGHBORHOODS**

Voluntary design guidelines, appropriately disseminated, can also be effective in guiding property owners in older neighborhoods who wish to make additions or build new. An example of such voluntary efforts is a workbook created by Community First, a citizens’ group in Naperville, IL, a Chicago suburb that has been experiencing inappropriate additions and “teardowns.” The organization was founded as an educational nonprofit by builders, architects and citizens and is supported by both the City of Naperville and the Chamber of Commerce. The group prepared an award-winning booklet with simple illustrations that takes builders, property owners, designers, and citizens through the process of understanding

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the character of a particular neighborhood and street, with special attention to what constitutes more or less harmonious relationships among houses, relationships to the street, and so on. The workbook also provides advice on ways to design additions and renovations to provide the desired space without impinging on the character of the street and neighborhood.

Despite the fact that compliance is entirely voluntary, the booklet has had a significant impact. The City hands out the workbook at all pre-demolition meetings with builders and owners. Community First influenced some 250 projects in its first four years and organized workshops for builders and city staff. The City also collaborates with Community First on an annual design award, with city residents voting on the finalists. The booklet has been so successful that it is now being used by other Chicago-area communities.



Voluntary design guidelines have been successful in protecting older neighborhoods in Naperville, Illinois.

## HISTORIC ZONING OVERLAY DISTRICTS

Many communities choose to address historic preservation through zoning overlays, which operate in conjunction with general zoning districts. When the municipal governing board designates a local historic district, protections are applied to the properties through a historic zoning overlay that is specific to the new district. The general zoning district, or base zoning, establishes uses, dimensions, height, setbacks, and so on. The historic zoning overlay applies additional regulations on top of the general district regulations; these regulations often are more restrictive than the base zoning regulations and include the requirement that properties falling under the overlay are subject to mandatory design review, typically by a historic preservation board/commission, that will protect their historic exterior architectural features.

Historic zoning overlays are found in some Texas cities, but Tyler does not have this form of regulation. Tyler has chosen to designate historic properties and regulate changes to these properties through its Historical Preservation Ordinance, which is not a zoning ordinance. The Historical Preservation Ordinance requires the consent of property owners for landmark designation, but a historic overlay district, because it involves a rezoning, does not require owner consent.

## TAX INCENTIVES FOR HISTORIC PRESERVATION

### Federal Level

Federal law provides incentives for the rehabilitation of historically-significant properties through preservation easements and historic tax credits. Federal tax credits (20% of qualified rehabilitation expenditures) may be obtained for rehabilitation of income-producing properties that are listed or eligible for listing on the National Register of Historic Places. Thus, owners of historic income-producing properties in Tyler, such as commercial structures or residential rental units, may obtain tax credits for rehabilitation projects that meet the criteria defined by the Internal Revenue Service. The Texas Historical Commission evaluates all applications for federal tax credit projects, which includes determining whether the work done to the historic property meets the Secretary of the Interior's Standards for Rehabilitation.

### Historic Preservation Easements

Historic preservation easements are voluntary agreements between property owners and a historic preservation organization recognized by the IRS. The easement restricts specified changes to the property and the donor conveys certain rights over the property to the easement-holding organization, which then has the legal authority to enforce the terms of the easement. One of the restrictions placed on the property is the requirement of reasonable public access to the historic feature(s); this public benefit is seen to justify the tax break. The easement can cover changes to the interior or exterior of a building, the façade, additional building(s), and so on, and is tailored to each situation. In return for donating the easement, the donor receives a federal tax deduction in the amount of the value of the easement. Tax deductions for preservation easements may be taken only for properties that have been certified as historic by the National Park Service (*i.e.*, typically National Register-listed properties).

### State Level

Unlike many other states, Texas provides no state historic tax credits for the rehabilitation of income-producing or residential properties.

### Local Level

Since 1998, Tyler's historic preservation ordinance has authorized tax abatement as an incentive to encourage property owners to participate in the local historic landmark program. One form of abatement covers 50% of the assessed value of any landmark (structure and land), up to \$2,000,000 per year. Originally 10% in 1998, this abatement was increased to 50% of the assessed value in August 2005 to create a more meaningful incentive for preservation. It is available to the owner of any designated local historic landmark but an owner must apply for the tax exemption. The application automatically renews each year, as long as the property remains a local landmark, does not change ownership, and complies with all other ordinances.

Another form of abatement covers 100% of the amount of any increase in assessed value for the first five years following the issuance of a Certificate of Appropriateness. For a property to qualify, it must have rehabilitation expenditures that exceed \$29,999 and the rehabilitation must be completed within two years of the receipt of a COA. Improvements

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per year cannot exceed \$2,000,000. This tax relief is designed to work as an incentive for improvements to the historic structure; therefore, work must be done on the property under a COA. Designation as a local landmark does not automatically qualify a property for the second type of tax abatement. The owner must apply for the abatement, and the City Council must approve the abatement after a public hearing. If all work is not completed within a two-year period, the City may revoke the tax break and recapture all abatements given during that period. The applicant will also be disqualified from receiving any further abatement during the five-year period.

HISTORIC PRESERVATION TAX INCENTIVES			
TYPE	ADMINISTERED BY	APPLIES TO	DETAILS
Federal tax credit	National Park Service	National Register-listed or -eligible properties; must be income-producing properties (commercial, rental residential)	20% of qualified rehabilitation expenditures; expenditures must exceed \$5,000 or the building's qualified basis over a 24-month period; rehabilitation work must be certified by the National Park Service
Federal tax deduction for preservation easement	National Park Service	Properties certified historic by the National Park Service; usually National Register-listed or -eligible properties only	May deduct value of easement (difference between market value of property prior to easement conveyance and market value of property after easement conveyance) up to 30% of applicant's adjusted gross income
Local tax abatement for landmarked property	City of Tyler	Building or structure designated by the City of Tyler as a local landmark	50% of the assessed property value (land and structure); up to \$2,000,000 per year
Local tax abatement for rehabilitation of landmarked property	City of Tyler	Building or structure designated by the City of Tyler as a local landmark; property being improved under a Certificate of Appropriateness (COA)	100% of the increase in property value following issuance of a COA; rehabilitation expenditures must be between \$29,999 and \$2,000,000; rehabilitation must be completed within 2 years after issuance of COA

## C. Historic Preservation Issues

### PROTECTION OF HISTORIC PROPERTIES

As the above discussion shows, Tyler has a number of designated properties at all levels of historic significance. However, with the exception of limited protections required under the Tyler Historic Landmark program, none of the designated historic properties are protected from inappropriate changes or demolition. Because Tyler’s local landmarking program is voluntary, covers only individual properties, and landmark designation is easily revoked by an owner, it is difficult for the City to ensure that a landmarked property will retain historic character. Moreover, the narrow coverage of the City’s demolition delay excludes the majority of Tyler’s designated historic properties (owner-occupied single-family residential) and gives the City very little time to try to save a historically-significant property that is slated for destruction by the property owner. Under Tyler’s current ordinance, it is not difficult to envision situations where an owner decides to remove the historic designation if he or she wishes to make changes that would not be approved on a COA. This could result in the loss of major historic properties, but could also lead to small changes within an area that, over time, can add up to significant erosion of neighborhood character.

### PROTECTION OF ENSEMBLES

Many residents want to strengthen historic preservation efforts in order to protect the character of Tyler’s older neighborhoods. They see preservation not only as a way to protect the architectural features of Tyler’s impressive older properties, but also as a way to conserve the tree-lined streets, landscaped yards, and physical patterns of Tyler’s older neighborhoods. For them, part of the historical significance of these properties lies in their relationship to each other, and the order and harmony that is created by properties of similar



Neighborhood ensemble in the Azalea District

scale, setbacks, design, and materials being located in a particular area. The value of an ensemble does not lie in an individual property; instead, it is generated by the relationship of the properties to each other in a cohesive whole. A specific property may not be of great historical importance, but it is the role that each property plays in creating the overall character of the entire historic neighborhood that is of primary importance.

Historic districts listed on the National Register support the idea of protection of ensembles. Under National Register rules, a district may be created with the consent of more than 50% of all property owners in the proposed district. Written consent from homeowners is not required; owners are presumed to consent to district designation unless the National Park Service receives opposition in writing. The 50% threshold allows the creation of a meaningful district that can cover a neighborhood and designate it as a whole,

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even if some property owners oppose the designation. Most jurisdictions that authorize the creation of local historic districts follow this model and permit the creation of a district without the consent of all property owners. The percentage of owners required to consent typically runs from 50 to 80%.

Tyler's National Register districts reflect groups of properties that relate strongly to each other; meaning is created through the large pattern. Tyler's current historic preservation ordinance does not strongly support the idea of protecting ensembles. It focuses mainly on individual designations, although its language does permit the creation of a local historic district with the consent of all property owners located in the district. Creating local historic districts on one or two blocks within Tyler's National Register districts would fail to convey or protect the full character of the historic district. However, several of the city's National Register districts are so large and so heterogeneous over the entire district that it would be difficult to create a local historic district that would mirror one of the larger historic districts. A local historic district containing hundreds of properties would be very difficult to administer. National Register districts may be large, because there is no design review associated with them. Most local historic districts, however, are drawn to be manageable and often contain between 20 and 100 properties each.

### DESIGN REVIEW

Many communities that authorize local historic landmarks and districts adopt a form of design review that provides guidelines tailored specifically to the characteristics of these districts and the overall community. These communities recognize that their historic properties will undergo change, and these design guidelines provide them with a way of shaping this change to meet appropriate historical and community standards. The Secretary of the Interior's Standards for Rehabilitation provides ten basic preservation principles, but the language is very general and does not address specific building characteristics. Local historic districts often include more detailed design standards that provide guidelines for such things as window replacement, siding materials, location of parking areas, and location, scale, and materials of additions/new construction. A community may have a different set of guidelines for each of its historic districts, if the characters of the historic districts differ. The primary goal is historically-appropriate repair and improvements to preserve a district's historic character.



Detailed design guidelines can protect historic architectural features, such as the millwork on this porch.

An additional benefit of detailed design guidelines lies in how they can be used to inform a historic preservation commission and the public about the goals of historic designation. Most design guidelines prepared by communities include local examples, photographs, and explanations that indicate why and how a certain design principle or standard should be implemented. They provide detailed guidance for property owners and help them understand

why something is appropriate or inappropriate, while providing some flexibility to property owners in how they meet the standards.

Tyler's Certificate of Appropriateness process currently is controlled only by the Secretary of the Interior's Standards for Rehabilitation, which may not provide enough protection for Tyler's local historic landmarks. Because it does not provide guidance for what should be done with different property elements, a wide range of activities may be permitted under a Certificate of Appropriateness, and many adjunct issues (such as location, landscape, and so on) may not be addressed.

## **ZONING**

Some residents of historic districts have looked to zoning changes as a way to prevent changes that they see as detrimental to the historic integrity of the districts. Concerns include encroachment of commercial uses on the edges of National Register districts or through implementation of the Adaptive Reuse (AR) and Restricted Office and Professional Use (RPO) zoning categories; areas where the zoning does not seem to reflect the existing historic character; new construction, additions or renovations that are incompatible with historic character; signage; inappropriate fencing; and similar kinds of issues.

Many of these concerns are not confined to historic neighborhoods, can be found throughout the city, and relate to broader issues of neighborhood character and the way the zoning ordinance in Tyler is written and implemented. These issues are discussed in more detail in other chapters of the Comprehensive Plan and will be addressed as part of the rezoning process that will follow the adoption of the Plan as part of the overall Tyler 1st project. For example, the higher-density multifamily zoning categories that cover some of the historic districts closest to downtown may be inappropriate for these areas, given the existing character and potential future developer interest resulting from the revitalization of downtown. This and other zoning issues are on the agenda for the zoning component of Tyler 1st.

Traditional zoning categories focus on uses and on dimensional controls such as lot area, building setbacks, lot area, lot coverage, and height limits. Changes to these regulations often do not address the issues of most concern to preservation of historic and neighborhood character. Adjusting dimensions in reaction to incompatible new construction may only lead to equally incompatible designs in different configurations. Rezoning is not a "quick fix" to preserve neighborhood character. That is why the design-oriented approach to reviewing new construction and changes to the exterior of existing buildings is more effective. The historic preservation ordinance, the neighborhood conservation ordinance, and the zoning ordinance must work together to provide regulations and guidance to preserve the character and authenticity of Tyler's historic neighborhoods.

## **CREATING A FULL-TIME PRESERVATION OFFICER POSITION**

Tyler's historic preservation ordinance requires the Planning Director to name someone who will serve as a local preservation officer and assist the Historical Preservation Board. A planner in the Department of Planning and Zoning currently serves as preservation officer

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and can spend up to 50% of her time working on preservation-related activities, as needed.

In 2005, Historic Tyler conducted a strategic planning process with the assistance of the National Trust for Historic Preservation. One of the outcomes of this process was the goal of hiring a full-time preservation officer to assist the HPB. Historic Tyler convened a committee to study the issue, and in the summer of 2006, it presented a position paper to the City requesting that a full-time Preservation Officer be hired for FY 2006-2007. In this paper, Historic Tyler argued that the HPB needed the assistance of a full-time staff member because of the large number of duties assigned to it by Tyler's historic preservation ordinance and the HPB's own list of goals and objectives. Historic Tyler cited three specific examples in which a full-time preservation officer would be of great benefit to the HPB: 1) reviewing pending zoning cases to determine if any applications affect historic properties; 2) providing adequate communication with and technical assistance to owners of local historic landmarks; and 3) monitoring the conditions of local landmarks and ensuring that actions authorized by a Certificate of Appropriateness are completed in a timely manner.

After review of Historic Tyler's position paper, the City declined to fund a full-time preservation officer position for FY 2006-2007. Reasons for the denial include the decision that the HPB does not handle enough applications for COAs to justify a full-time position at present and the judgment that the Planning Department needs additional staff to cover other, more pressing needs. In addition, the City decided to wait on the outcome of Tyler 1st to determine whether a full-time preservation officer would be a viable long-term recommendation.

### **RAISING PUBLIC AWARENESS ABOUT THE BENEFITS OF HISTORIC PRESERVATION**

The early stages of the Tyler 1st process have shown that many Tyler residents take pride in the city's many historic properties and regret the loss of key landmarks. One example cited repeatedly is the destruction of Tyler's 1909 courthouse and green square in favor of a 1950s "modern" building with parking. The courthouse example has shown many people—in hindsight—the value of preserving the city's unique landmarks. Residents today strongly value many of the city's historic residential neighborhoods, such as Charnwood and the Azalea District. They view them as cultural and aesthetic assets that help distinguish Tyler from other East Texas cities and draw visitors to the city. Most want to see them preserved for future generations; however, many of these same individuals are unaware of what is needed to achieve this goal. Other residents value Tyler's historic properties, but do not want to see regulations interfere with economic development and/or private property rights. The HPB and Historic Tyler face the challenge of increasing public awareness of what the different levels of historic designation entail and convincing city residents that historic preservation brings both cultural and economic benefits.

### **ADDITIONAL PROPERTIES SUITABLE FOR HISTORIC DESIGNATION**

When many members of the public think of preservation in Tyler, they think only of protecting Tyler's more affluent older neighborhoods, such as Charnwood, the Azalea

District, and the Brick Streets District, which embody an “Old South” charm. However, other older neighborhoods exist in Tyler with histories that are, so far, untold to the broader community. The city’s history includes additional neighborhoods and commercial and industrial properties. North Tyler was traditionally the home of Tyler’s African-American community, and many of its properties and historical legacies deserve examination and preservation. The HPB has recently focused attention on North Tyler properties.

In addition, many rural properties in Tyler’s Extraterritorial Jurisdiction (ETJ) may also be candidates for National Register or state-level designation. Some ETJ properties have already been recognized through the Texas Historical Commission’s subject marker program or designated as Recorded Texas Historic Landmarks, including the Philips House and the Bell House, both of which were moved outside of Tyler’s city limits. Other significant properties, such as farmhouses and agricultural structures, may be threatened by rapid residential development that is occurring in the ETJ. Although the HPB has no jurisdiction in the ETJ and the City cannot designate properties in the ETJ as Tyler Historic Landmarks, the HPB can work with the Smith County Historical Society to identify important ETJ properties, encourage designation where appropriate, and advocate for their preservation.



Home on North Bois d'Arc Avenue



Kamel Building on East Ferguson Street

Historic recognition can focus on themes, such as ethnic histories or histories of important industries in Tyler (*e.g.*, the railroad, cotton, and oil industries), and older non-residential properties, such as the southern and eastern sides of the downtown square, the swimming pool at Fun Forest Park, a small commercial arcade on South Bois d’Arc Avenue, and the system of WPA drainage canals, should also be evaluated for historic recognition and preservation. In addition, as time passes, many post-1955 properties will reach 50 years old and will become eligible for historic designation.

### MAINTENANCE AND ENFORCEMENT IN HISTORIC NEIGHBORHOODS

Another concern identified through the Tyler 1st process is code enforcement and maintenance in the city’s historic neighborhoods. Many perceived problems in Tyler’s National Register districts are not design issues; rather, they are code violations, such as satellite dishes in front yards, and illegal carports, walls, and storage buildings.



Historic brick streets require special maintenance.

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Other problems include “demolition by neglect” by absentee owners of properties with potential historic value in non-designated neighborhoods, failure to complete approved COA projects in a timely manner, and protection and maintenance of Tyler’s fifteen miles of brick streets. Design guidelines cannot address these problems.

## D. Recommendations

### **GOAL:**

- 1. Maintain the integrity and character of Tyler's historic neighborhoods.**



Neighborhood conservation districts can protect against new construction and alterations that are incompatible with neighborhood character.

### **ACTIONS:**

- 1a. Create and pass an ordinance to permit establishment of neighborhood conservation districts to protect neighborhood character in existing historic districts and other older parts of the city.**

Neighborhood conservation districts (NCDs) involve residents in determining the type and level of regulations that they wish to accept. NCDs are more suitable as preservation tools for larger districts because they can be tailored to fit the more varied building types to be found on a district-wide level in, for example, the Charnwood and Azalea National Register Historic Districts. A NCD could ensure that even those properties that are not “contributing” properties to historic character will conform to standards deemed essential to preservation of the overall historic flavor of the neighborhood. Because local historic districts typically require more stringent regulation, many property owners are hesitant to support them, often believing they can preserve the historic integrity of their properties. However, a NCD can provide information to owners and the public on historically-compatible maintenance and additions to make them more aware of how best to preserve the character of their properties. NCDs can therefore help create the environment for future creation of local historic districts where suitable. Neighborhood conservation districts and local historic districts can operate concurrently and provide different levels of protection to historic properties.

Neighborhood conservation districts could provide some protection to original features of historic properties, help combat the increasing problem of incompatible infill in historic neighborhoods, and help the City deal with problematic transition areas that lie on the edges of the existing National Register historic districts. Neighborhood conservation districts can also help preserve community character in areas in which older properties may not retain enough historic integrity to qualify for National Register or local landmark/district

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designation. In addition, neighborhood conservation districts may appeal to Tyler residents and leaders due to the fact that residents of proposed neighborhood conservation districts play a key role in determining what property features will fall under design review.

In order to establish neighborhood conservation districts in Tyler, the City Council will have to adopt an ordinance that enables use of this preservation strategy. The enabling ordinance will detail how neighborhood conservation districts can be established, what may or may not be regulated within a neighborhood conservation district, and who will conduct design review. Once this is in place, those who are permitted under the ordinance to petition for the creation of a neighborhood conservation district may initiate the process for a particular group of properties.



Portions of the downtown square could become a neighborhood conservation district.

Recommended elements of a Neighborhood Conservation District enabling ordinance include the following:

- **Size and composition of district**

The first step in designating an NCD would be a request for a neighborhood study. A proposed district should be at least one blockface in size, with a minimum of three properties; contain a majority of properties that are at least 25 years old; and include properties that are related to each other through distinctive characteristics. All properties in the proposed district should be contiguous. This petition would simply be for the NCD study. If a recommendation to designate an NCD emerges from the study, these petitioners may not decide to support it.

- **Petitioners**

Authorized petitioners may include owners whose properties would be included in the proposed district, the Planning and Zoning Commission, and the Historical Preservation Board. The City Council should also have the ability to propose a NCD. In the case of resident-sponsored petitions, if fewer than 20 properties are involved, at least 20% of the property owners must sign the petition. Otherwise, at least ten owners must sign the petition.

- **Property-owner consent**

A petition for the creation of a neighborhood conservation district shall not be approved unless at least two-thirds (66%) of the property owners in the proposed district consent in writing to having their properties included in a NCD. Written consent of three-quarters (75%) of the property owners shall be required for final City Council approval and establishment of a specific NCD.

- **District study**

The enabling ordinance should also mandate a study of the proposed district that should include a building inventory, an assessment of the spatial and design relationships between the properties in the proposed district, and identification of the elements that give the neighborhood a distinctive character. These elements are what the NCD designation should protect. The district study should be overseen by the Director of the Department of Planning and Zoning.

- **Public hearings**

Once the district study is complete, at least two public hearings should be held to receive comment on the study and the proposed NCD. A hearing for proposed NCDs that include properties with historic designations should be held by the Historical Preservation Board. Other proposed NCDs should have a public hearing before the Planning and Zoning Commission. These boards would then make a recommendation on creation of the NCD to the City Council. The City Council would hold a final public hearing before taking action on the proposed NCD.

- **Review coverage**

The enabling ordinance should identify certain property features to be excluded from regulation—typically interior features and paint colors. The City Council may also wish to limit review and regulation to property features that can be seen from a public way. The benefit of this approach is to communicate the idea that the review and potential regulation is based on the public interest in preservation of neighborhood character. The disadvantage of this approach is that there may be property elements not visible from a public way that still impinge upon neighborhood character as experienced by abutting property owners. Specific features subject to advisory or mandatory requirements are to be identified for each specific NCD. Some may require only advisory review; others may provide advisory opinions for certain features and mandatory requirements for others; and some NCDs may have only mandatory requirements for identified features. However, all projects that involve exterior features must be reviewed for compliance with the NCD standards.

- **Who performs the review**

Review of proposed changes to a property in a NCD can be performed by a municipal board or a board composed of neighborhood residents. It is advisable to have municipal boards conduct the review. Having resident-only commissions invites the risk of situations in which members cannot be impartial in reviewing the plans of their neighbors. The enabling ordinance should authorize the Historical Preservation Board to



The North Bois d'Arc–North Broadway neighborhood, one of the oldest in the city, may qualify as a neighborhood conservation district.

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conduct reviews in NCDs that lie within one of the existing National Register historic districts or areas that may be eligible for National Register district or local landmark designation. Review in other NCD areas should be conducted by the Planning and Zoning Commission.

- **Review outcome**

The enabling ordinance should give the Historical Preservation Board and the Planning and Zoning Commission the authority to issue Certificates of Appropriateness (COAs) for proposed work in NCDs that falls under mandatory regulation as determined in the ordinance for the specific NCD. In that case, as with local historic landmarks, work cannot proceed without a COA. As more properties come under design review through NCDs, the number of COA applications will increase. Currently, the City Council handles a small number of COA applications through the Tyler Historic Landmark program; however, increased numbers of designated properties will create a greater workload for the City Council. The HPB and the Planning and Zoning Commission should have the power to handle most applications. This would mean that the HPB would no longer act in simply an advisory capacity. Expanding the powers of the Historical Preservation Board and the Planning and Zoning Commission can shift the growing administrative requirements of design review to two boards with members who have special expertise in design and planning matters.

- **Appeals and amendments**

The enabling ordinance for NCDs should include a mechanism for appeal to the City Council of NCD decisions made by the HPB or the Planning and Zoning Commission. In addition, the enabling ordinance should make provision for changes to an NCD, such as amendment of the review coverage (which features are subject to mandatory for advisory requirements) and amendment of geographical coverage.

When the City Council approves the creation of a NCD, it will have to adopt an ordinance that is specific to the district. This ordinance will include:

- **Identification of special neighborhood features**

Each district's eligibility study will identify particular characteristics that give the neighborhood its character. The ordinance will emphasize protection of these features as the basis for the district.

- **Features for design review**

The district ordinance will identify the neighborhood characteristics that are important to preserve and the property features that must come under design review. In the neighborhood study process, property owners should have the opportunity to work with the City to determine what features should be included for review. Therefore, the features falling under design review should reflect what the neighborhood itself and the City believe are most important to protect. Design review features may be different for different NCDs. However, these may not include items that are not permitted by the enabling ordinance.

- **Advisory review or mandatory regulation**

As noted earlier, all proposed exterior modifications must be reviewed for their compliance with the district's NCD ordinance. If the NCD ordinance includes mandatory regulation of certain features, the result of the review may be a requirement to perform the work with specific materials, design approaches, and so on, as detailed in a COA to be issued before a building permit. As with a local landmark, no work may be performed without a COA. However, if the NCD ordinance only authorizes advisory review, a property owner will be required to submit the proposed changes to the design review board, but the outcome of the review will not be legally binding. The result of the design review may be advice on how to preserve neighborhood character when completing certain aspects of the work. Property owners can choose to follow these suggestions, but no penalties will be assessed if they do not do so. Although advisory review cannot make an owner take certain actions, it can prove valuable in promoting discussion and educating district property owners on appropriate design, materials, and techniques.



	MANDATORY REGULATION IN NCD	ADVISORY REVIEW IN NCD
Design review required?	Yes	Yes
Design review board guidance legally binding?	Yes	No
Certificate of Appropriateness issued?	Yes	No
Civil penalties assessed if design review guidance not followed?	Yes	No

**1b. Work to create the first neighborhood conservation district.**

The Historical Preservation Board and Historic Tyler should work together to identify groups of properties within the city that may qualify as neighborhood conservation districts. These may include properties within the six existing National Register historic districts, but should also include downtown and North Tyler properties. Potential districts could also be identified from properties catalogued in the historic resources survey that may not have retained enough historic integrity to qualify as local landmarks or National Register properties. In order to successfully establish the first NCD, HPB and Historic Tyler should focus their efforts on a qualified area where property owners are known to be interested in preservation or concerned about conserving neighborhood character.

Areas with possible historic significance to consider are areas within existing National Register districts, as well as portions of the downtown square, the Bois d’Arc-Broadway area north of Gentry Parkway and south of Martin Luther King, Jr. Boulevard, the Palace Avenue area north of Gentry Parkway, and the residential area south of Gentry Parkway but north of downtown. Neighborhood conservation districts could prove helpful in neighborhood revitalization efforts. In addition, residential neighborhoods from the 1950s and 1960s located in various parts of the city could also be considered for neighborhood conservation district designation.



Chilton Avenue in the Brick Streets National Register Historic District

**1c. Consider reducing the property-owner consent requirement for a local historic district.**

The present historic preservation ordinance permits the creation of local historic districts, but it requires that 100% of property owners in the potential district consent to designation. This is very unusual, and makes it difficult to create a local historic district. The City Council should consider lowering this percentage, while still ensuring that a distinct majority of property owners within the proposed district supports the application of historic district regulations.

### ***1d. Initiate a local historic district.***

Local historic districts typically have detailed mandatory requirements to ensure that modifications to the exterior of historically-significant properties retain design, materials, and workmanship appropriate to the historical period and architectural style. No local historic districts exist now in Tyler. One attempt to establish a district was made in the past, but the district failed to receive designation because the properties were not of sufficient historic significance. This was true even though the properties were located within one of the larger National Register districts. The 100% owner consent requirement may also be one of the reasons why the city has no local historic districts.

The Tyler 1st Historic Preservation Working Group discussed the possibility of regulating all contributing properties in the city's six National Register historic districts and all individually-listed National Register properties. The argument was made that since the properties have achieved federal-level designation, their historic features should be protected by local regulations. However, several members of the working group recognized the administrative difficulties that such a large district would create. In addition, most members agreed that imposing regulations on more than 1,600 properties would be impossible under the current historic preservation ordinance, as 100% of property owners must agree to local district designation. Moreover, most members felt that altering the ordinance to place regulations on all National Register individual and district properties would be politically difficult. Members generally believe that a significant majority of property owners should give consent before regulations can be imposed.

However, the City, the HPB, and staff should encourage the creation of a local historic district that is smaller than the National Register historic districts and includes properties that have clear and documented historic significance. A small historic district would serve as a pilot program for the city and be a model that would illustrate the value of historic district regulation and encourage other owners of historic properties to consider local designation for their properties.

### ***1e. Amend the historic preservation ordinance to give the Historical Preservation Board the power to issue Certificates of Appropriateness for local historic landmarks and districts.***

As discussed above, a new neighborhood conservation district ordinance should give the Historical Preservation Board the authority to conduct design review and issue COAs for properties in historically-significant neighborhoods that choose to require mandatory regulation of certain features under an NCD. This same authority should be extended to the HPB in the matter of local historic landmarks and districts. The HPB ordinance requires board members to have special expertise in design, real estate, and planning; therefore, its members should be qualified to perform design review of historic property and neighborhood features. Currently, the City Council issues all COAs for Tyler Historic Landmarks, and with the small number of COAs in the past four years, this has not been an administrative burden. However, a growing number of local historic landmarks and districts may make new demands on the City Council's time. Shifting design review authority to the HPB will alleviate this problem.

**1f. Ensure that the Historical Preservation Board membership meets the requirements of the City’s historic preservation ordinance.**

The current historic preservation ordinance requires that members of the Historical Preservation Board must include an architect, planner, or design professional; a historian or archaeologist or related professions; a real estate professional; an attorney; at least one owner of a designated historic property; and the executive director of Historic Tyler, Inc. These requirements ensure that the board will comprise individuals who have experience with preservation, design, planning, and real estate issues and can make well-informed decisions on designation or design review.

Attracting volunteers to fill citizen boards can prove difficult for some communities, and often cities fill vacant positions with applicants who evince interest when no qualified applicants apply. This practice, however, invites the risk of decisions being made by persons who have little in-depth knowledge about preservation issues that routinely come before the board. As more properties come under design review in Tyler—whether through local landmark, neighborhood conservation district, or local historic district designation—the City should fill board positions with qualified residents.

**1g. Develop design guidelines—based on the Secretary of the Interior’s Standards—that specifically address property features/qualities that are important to Tyler’s history and character.**

The City’s current historic preservation design guidelines are the ten standards for rehabilitation created by the Secretary of the Interior. These guidelines provide general guidance for rehabilitation of historic properties, but they do not deal with specific contexts. Many communities around the country have created design guidelines that use the Secretary of the Interior’s Standards as their foundation, but add details that apply to various styles, landscapes, and environments that exist in their particular historic neighborhoods. Given that different historic elements in different neighborhoods merit protection, some communities even go so far as to create individual design guidelines for their different historic landmarks and districts.

Tyler’s historic properties could benefit from design guidelines that are tailored to local conditions. Guidelines will need to include standards for the variety of styles and sites that exist in Tyler, along with photos and illustrations of local properties that are recognizable to Tyler residents. These design guidelines should be written to inform property owners why certain features are important and provide information on how these features can be preserved. For example, a guideline discussing the appropriate cleaning of historic materials should include suggestions for cleaning and should explain why certain methods are appropriate or inappropriate. Design guidelines should help property owners understand the value of their homes and their contexts. Ideally, a detailed set of design guidelines will serve as a richly visual educational tool and can be used as both mandatory and advisory standards.

In creating these more detailed design guidelines, the Historical Preservation Board should look at model guidelines from other communities, particularly those with similar building histories (*e.g.*, medium-sized Southern cities and East Texas communities). A helpful source is the National Association of Preservation Commissions’ design guidelines collection, available online at [www.sed.uga.edu/facilities/owenslibrary/designguidelines.htm](http://www.sed.uga.edu/facilities/owenslibrary/designguidelines.htm). The HPB should

Detailed design guidelines, such as these from Raleigh, NC, provide illustrations and examples to help educate owners about historic properties.

RALEIGH HISTORIC DISTRICTS COMMISSION

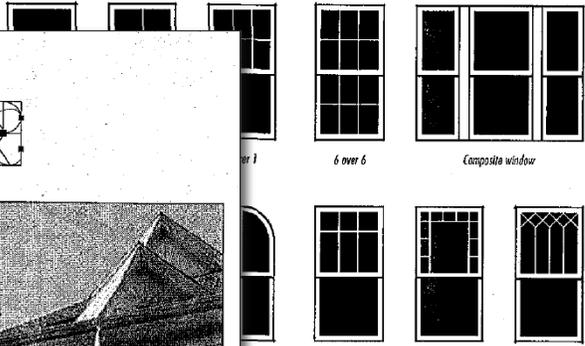
### 3.7 Windows and Doors Continued from page 38



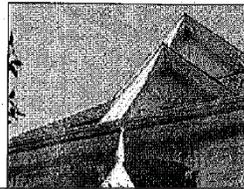
*These decorative wooden screen doors, as well as the awnings*

embellished the building exterior and contributed to its architectural character. Existing shutters on historic buildings should be maintained and repaired or replaced in kind as necessary. It is also appropriate to reintroduce shutters on an early Raleigh building when there is clear evidence of earlier shutters. The new shutters should be operable, as were the earlier shutters. However, introducing shutters on a building that did not have them historically would compromise the building's architectural character and is not appropriate in the historic districts.

Historically, fabric awnings were energy-conservation features that also provided opportunities to introduce color and signage. Although contemporary aluminum awnings are not consistent with the character of Raleigh Historic Districts, fabric awnings that are compatible in scale, form, and color may be appropriate.



6 over 6      Composite window

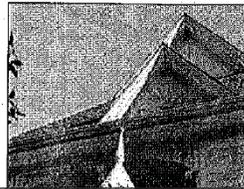


Sashes with geometric tracery

RALEIGH HISTORIC DISTRICTS COMMISSION

### 3.5 Roofs: Guidelines

- 1 Retain and preserve roofs and roof forms that contribute to the overall historic character of a building, including their functional and decorative features, such as roofing materials, cresting, dormers, chimneys, cupolas, and cornices.
- 2 Protect and maintain the metal, wooden, and masonry elements of historic roofs through appropriate methods:
  - Inspect regularly for signs of deterioration and moisture penetration.
  - Clean gutters and downspouts to ensure proper drainage.
  - Replace deteriorated flashing as necessary.



*In the districts, retaining perpendicular wooden eaves with operable double hung sashes are quite common. The sashes are often subdivided into smaller panes, or lights.*

RALEIGH HISTORIC DISTRICTS COMMISSION

### 3.1 Wood

Wood was the most commonly used building material in early Raleigh neighborhoods. The structural system of most homes is a wood framework referred to as balloon framing, a Victorian-era building innovation that set up all exterior bearing walls and partitions with single vertical studs and nailed the floor joists to those studs. Clapboard, flush siding, board and batten, or textured siding (consisting of patterned wooden shingles) was then applied to the exterior. Depending on the styles of the era and the taste and the financial resources of the owner, decorative details were added. For example, decorative wooden sawnwork, moldings, brackets, pediments, balustrades, and columns embellished early Raleigh buildings.

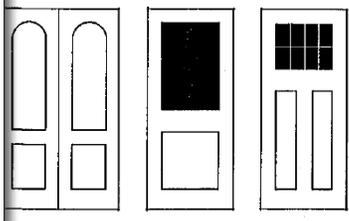
Even in commercial or residential buildings constructed or clad in masonry, wooden trim, sashes, and doors were typical. Porches, fences, and storefronts often were constructed of wood as well.

#### Things to Consider As You Plan

Wooden features and surfaces on a building should be maintained and repaired in a manner that enhances their inherent qualities and maintains as much as possible of their original character. A regular inspection and maintenance program involving caulking and sealing, carpentry, cleaning, and painting will help to keep problems with wooden features and surfaces manageable. Flexible sealants and caulking protect wooden joinery from moisture penetration as the wood



*Wood spindles and columns, pierced brackets, and a fluting pattern of flush boards in the porch gable of this powder house illustrate the versatility of wood for detailing.*



Double      Paneled with glazing

*can be found throughout the districts. They are sometimes paired for front entrances.*

also solicit input from Historic Tyler and the Texas Historical Commission, along with city residents and owners of historic properties. Participants should agree on what property and building characteristics are most important to protect, and can also consider how protection of these characteristics will help protect neighborhood character.

**1h. Limit the validity of Certificates of Appropriateness for work on landmark properties to two years to ensure that approved work is completed within a reasonable time frame.**

The current historic preservation ordinance does not place a time limit on certificates of appropriateness (COAs). In order to avoid future situations in which work begins on landmark properties and then ceases for long periods of time, the City should amend the landmark ordinance to provide:

- Work authorized under a COA must begin within six months of the COA's issuance;
- If work does not begin within six months, the applicant must apply for and obtain a new COA;
- All work authorized under a COA must be completed within two years of the date of issuance of the COA; and
- Work that exceeds the two-year time limit will be subject to civil penalties (a daily fine).

**1i. Continue to maintain Tyler's existing brick streets and create a plan to uncover and repair brick streets that have been paved over.**

Tyler's brick streets are one of the city's most important historic assets. When people think of Tyler, many associate brick streets and historic districts with city identity. Most of Tyler's existing brick streets are located in the Brick Streets, Azalea, and Charnwood National Register historic districts. Other brick streets can be found downtown and in portions of North Tyler (some of the oldest areas in Tyler). The City now has the Brick Street Advisory Committee and a brick streets maintenance crew to properly care for this historic asset. To ensure that this maintenance continues, the City should create a Brick Streets Maintenance Plan that outlines maintenance issues and processes. In addition, where practical, the City should commit to uncovering and repairing brick streets that have been paved over in downtown and adjacent areas as discussed in the North End Revitalization chapter. Uncovering brick streets in some older neighborhoods—such as in North Tyler—can help enhance neighborhood identity and promote neighborhood revitalization.

**1j. Hire a full-time historic preservation officer.**

Working group members believe that a full-time City staff person is needed now to support the Historical Preservation Board. Many of the historic preservation recommendations in this plan could best be implemented with the assistance of a full-time preservation officer. A preservation officer should be a staff member in the Department of Planning and Zoning and should have a degree or specialized studies in historic preservation and city planning.

The expansion of the powers of the Historical Preservation Board and the creation of NCDs and local historic districts will increase the need for a staff person to work on preservation activity. A full-time preservation officer could:

## Chapter 6 :: HISTORIC PRESERVATION

- Promote the establishment of local historic districts and NCDs;
- Encourage more property owners to participate in the City's landmark program;
- Work with consultants on historic designation reports/studies;
- Develop detailed design guidelines and advise the HPB on design issues;
- Answer questions about design review procedures for the public;
- Monitor the condition of work being performed under Certificates of Appropriateness;
- Create an efficient system for review of projects that may affect historic properties;
- Apply for grants to fund historic preservation activities;
- Educate City staff and the HPB on preservation issues;
- Serve as a liaison between the HPB and other municipal boards;
- Collaborate with Historic Tyler, Inc. on workshops and materials for the public;
- Organize public events that celebrate Tyler's history;
- Help create heritage trails;
- Publicize the availability of tax incentives for historic preservation projects; and
- Study the economic benefits of historic preservation.

Although the City declined to fund a full-time preservation officer in FY 2006-2007, the likelihood of growing preservation awareness and activity will make it increasingly difficult for the HPB's current part-time staff person to fulfill all of the above responsibilities. The City should consider including a full-time preservation officer position in its FY 2007-2008 budget.

### 1k. Work with Historic Tyler, Inc. to provide guidance publications for property owners.

The Historical Preservation Board and Historic Tyler, Inc. should work together in a public-private partnership to create a series of documents that will provide guidance for owners of historic properties. These documents can include information about the City's historic preservation ordinance, different building styles and materials, information about how to repair and/or maintain specific historic features, information about historic landscapes, discussions of compatible additions and alterations, and information about doing



## THE REVIVAL STYLES

1900-1945

♦ Nashville Old House Series ♦ Architectural Style and Sensitive Rehabilitation

**HISTORICAL BACKGROUND**

An assortment of revivals of past architectural styles, including Colonial, Tudor, and Spanish, provided an alternative to the Craftsman bungalow. The Colonial Revival features a number of variations, including Dutch, and draws inspiration from the Georgian and Adam styles that dominated Colonial America. Although in use throughout the United States from the 1880s to the 1950s, revival houses were popular in Nashville beginning in the 1920s. These houses were rarely historic replicas, but were instead loose variations of the original styles.



Local Dutch Colonial Revival

Earlier Victorian styles sense and egalitarian principles." Tudor Revival styles emerged in the early 1900s and remained popular through 1940. This style draws loosely upon Medieval English architecture and freely mixes with various American styles. There are several variations of the Tudor Revival (including Elizabethan, Jacobean, and Norman) with an assortment of facade materials—brick, stone, stucco, or wood. Mediterranean and Spanish Revival houses were much less common in Nashville than Tudor and Colonial Revival styles. These houses, which typically feature stucco surfaces and red tile roofs, were much more common in California and the Southwest. A local example of this style is Little Hollywood, a small neighborhood in East Nashville with several small



Local Tudor Revival

**REPLACING WHAT'S MISSING**

Over the years, most old houses have lost something—bits and pieces of decorative trim, or a mantel or light fixture. It is always appropriate to restore missing parts of a house if two things are known: first, that the feature being restored was indeed there originally, and second, what the feature looked like. Ideally, everyone could have an old photograph or original architectural plans as a guide in replacing missing parts of the house. This is rarely the case, however, and some degree of educated guesswork is often necessary in replacing what is missing. This is fine if carefully done, but regrets can arise if additional evidence proves the reconstruction of a missing feature to be inept or, worse, if the "restored" feature turns out never to have existed at all. Avoid expensive mistakes, and know what you are doing when replacing missing parts.

Any rehabilitation, no matter how careful, will involve not only changing the present appearance of the house but also making some changes from what is known or believed to be its original appearance. This is fine if changes are made in a way that is sensitive to the architectural character of the house. Change is not inherently bad, but avoid insensitive change.

REMEMBER

Replace a feature if:

- It originally existed within the structure.
- It is known what the feature looked like.

REHAB ADVICE • REHAB ADVICE • REHAB ADVICE

Nashville, TN's Metro Historic Zoning Commission publishes guidance documents on architectural styles and proper rehabilitation techniques.

historic research on individual properties. Guidance publications can also help property owners understand how their historic properties fit into broader neighborhood and city historical contexts. Like detailed design guidelines, these guidance documents should be richly illustrated and use a variety of examples that are recognizable to Tylerites.

Guidance documents should be distributed to owners of local landmarks and properties in Tyler's National Register historic districts. The documents should also be available in the Department of Planning and Zoning, on the City's website, and on Historic Tyler's website so that other interested individuals can view and download them.

Since Tyler is a Certified Local Government (CLG) community, it is possible that some guidance publications could be funded through grants from the Texas Historical Commission. Educational materials qualify for CLG grants, and grants (minimum \$250) are awarded on a yearly basis. Matching funds and/or in-kind service are required. Another possible funding source is the Texas Preservation Trust Fund, also administered by the Texas Historical Commission, which can give grants to preservation education projects.

**GOAL:**

**2. Identify additional properties and groups of properties important to Tyler's history for designation and protection.**

**ACTION:**

**2a. Seek consultant assistance to help a preservation officer identify and document residential and commercial properties—and historic infrastructure—for potential local landmark designation.**

The 1995-1999 historic resources survey has played an important role in the preparation of National Register nominations and local landmark designation reports in Tyler. The Historical Preservation Board should continue to use these survey documents and consultant assistance to identify residential and commercial properties in Tyler's older neighborhoods that could become local landmarks, local historic districts, or neighborhood conservation districts. In the survey, properties described as "high priority" are those determined to have retained their historic integrity (and thus are of high historic significance); "medium priority" properties also retain some integrity and possess historic significance. Given this evaluation, "high" and "medium priority" properties are the ones that should be considered for local historic designation.

The city's six National Register historic districts offer the most obvious examples for potential local designation, but this identification effort should also include properties in other older areas. Downtown and the area north of downtown, particularly between Palace Avenue, Locust Street, and Broadway Avenue, contain some of the oldest properties in Tyler. Few of these properties are local landmarks, and almost none fall into a National Register historic district. This could be a "target area" for the Historical Preservation Board, especially since some area residents during the Tyler 1st planning process have expressed a desire to learn more about making North Tyler properties local landmarks or districts. The Historical Preservation Board, with consultant assistance, could work with neighborhood residents to help many North Tyler properties receive historic designation from the City Council. Historic infrastructure, such as the city's WPA drainage canals, should also be

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considered for local designation.

In addition, the historic properties survey should be updated to include all properties that are 50 years or older. Properties in the Phase I volume (1995) only include those that now are 60 years old. Re-surveys will be needed to ensure that properties from the 1950s, which now may be eligible for historic designation, are included. Also, as properties age into eligibility, it may be desirable to identify potential National Register district expansions.

Funding for additional survey work and property designation research and reports can be obtained through grants from the Texas Historical Commission's Certified Local Government program or the National Preservation Endowment. Survey work qualifies for funding under both programs, which award monies annually and require matching funds from local governments. Local partners, such as Historic Tyler, Inc., can also support this work.

### **GOAL:**

**3. Ensure that City review of development includes historic preservation review when necessary.**

### **ACTION:**

**3a. Create an efficient system in which the Historical Preservation Board is notified by City departments and boards when there are projects affecting properties at least 50 years old so potential impacts to historic properties can be reviewed.**

The Historical Preservation Board should be given the opportunity to comment on projects/actions that will affect properties that are at least 50 years old, even if these properties are not local landmarks or contributing properties in a National Register historic district. In theory, all of these properties should be identified in the historic resources survey



Shotgun house on Liberty Avenue



Stone house on Moore Avenue



WPA drainage canal



The Historical Preservation Board should be notified about construction in the city's older neighborhoods.

and assigned a priority status. Although the Historical Preservation Board's comments would be purely advisory, allowing this review will ensure that the City Council, City boards, and City departments will be aware of impacts on designated properties or properties that might merit local historic designation or National Register status.

Currently, the Historic Preservation Board is supposed to be informed of projects and actions that will affect properties at least 50 years old, but board members find that notification often occurs just before another board acts on an item or a permit is approved. The City should consider creating a notification system that will allow the Historical Preservation Board to receive information about the pending action in a reasonable time for review and comment. This should include actions before the Planning and Zoning Commission and the Board of Adjustment, applications in the Neighborhood Services and Development Services departments, and actions proposed by the Public Works Department.

The notification process should include:

- The Planning and Zoning Department, with the input of the Historical Preservation Board and other City departments, should create new forms for permit applications, rezoning requests, and so on. These forms should include a checkbox to indicate whether a property is at least 50 years old.
- Each affected department or board should designate a particular staff/board member to be a contact person with the Historical Preservation Board.
- If a historic property may be affected, a meeting of the Historical Preservation Board should be called. The HPB, with the advice of Department of Planning and Zoning staff, should review the proposed action and make a written statement about impacts.
- The HPB must sign off that it has reviewed and commented on impacts before actions can be taken or permits issued.

**GOAL:**

**4. Enhance the preservation knowledge of all City staff and Historical Preservation Board members.**

**ACTIONS:**

**4a. Provide opportunities for staff and for Historical Preservation Board members to attend preservation workshops and events.**

Ongoing education about historic preservation issues and regulations is important both for members of the Historical Preservation Board and City staff members, especially as the City moves forward in encouraging more local designations and neighborhood conservation districts. Increased historic preservation activity will bring a need for staff and board members to become more aware of design issues, technical



HPB and City staff members can benefit from preservation conferences and workshops.

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aspects of preservation, and how to apply new local regulations. The City should provide sufficient funding each year to send all Historical Preservation Board members and their staff support to at least one educational event in Texas. A limited number of board members and some City staff could also attend statewide and national events hosted by preservation groups such as the Texas Historical Commission and the National Trust for Historic Preservation. Additional funds for workshop registration and travel could be obtained through Certified Local Government grants from the Texas Historical Commission.

### **4b. Collaborate with Historic Tyler, Inc. to hold an annual local historic preservation conference/workshop in Tyler.**

In addition to attending educational events, Historical Preservation Board members and City staff should also seek to host a local historic preservation conference or workshop at one of Tyler's historic buildings. Historic Tyler, Inc. would be a valuable partner in this event, which could help generate more interest in historic preservation from city residents. Since Tyler is a regional center, the City could hold a workshop for the region's local preservation boards/commissions and interested individuals. Many of these boards/commissions will share the same concerns, and speakers could be brought in from the Texas Historical Commission, the National Trust for Historic Preservation's Southwest Office, or other sources to address these issues. Sessions can also be of general interest, so that local residents would wish to attend. Topics could include architectural styles in East Texas, tax credits, neighborhood conservation districts, or designing appropriate additions/new construction. This workshop could be held as part of National Preservation Month in May, along with other events that are designed to increase public awareness about the importance of historic preservation in Tyler.

Funding for this workshop could come from annual appropriations by the City, monies raised by Historic Tyler, Inc., and grants from the Texas Historical Commission or the National Preservation Endowment, which provides grants (matching funds required) of \$500-\$5,000 for preservation-related activities. Educational programs for the public qualify for National Preservation Endowment grants.

### **4c. Seek education on preservation of commercial properties and infrastructure.**

Historic preservation efforts in Tyler have tended to focus primarily on single-family residential properties. Tyler has several commercial properties in the downtown area and elsewhere that may merit historic or neighborhood conservation district designation, including properties on the square and along South Bois d'Arc Avenue, along with a system of drainage canals built by the WPA during the 1930s that could be considered for stand-alone designation as a Tyler Historic Landmark.



Some older commercial properties may qualify for historic designation, such as Progress Cleaners on South Bois d'Arc Avenue.



The City should seek education on preservation of its historic infrastructure, including City Park Spring Pond, a Tyler Historic Landmark on West Queen Street.

The Historic Preservation Board should work with Tyler’s Main Street program, the Heart of Tyler; the Texas Historical Commission; and other sources of preservation information to better understand the cultural and economic value of the preservation of non-residential properties. Educational activities about different styles, historic materials and treatments, and design review should include components that address commercial and industrial buildings and infrastructure. Some board members may need to attend specific preservation workshops in order to learn more about preservation of non-residential properties. In addition, public information materials and design guidelines produced by the Historical Preservation Board and Historic Tyler, Inc. should include examples applicable to non-residential properties.

**GOAL:**

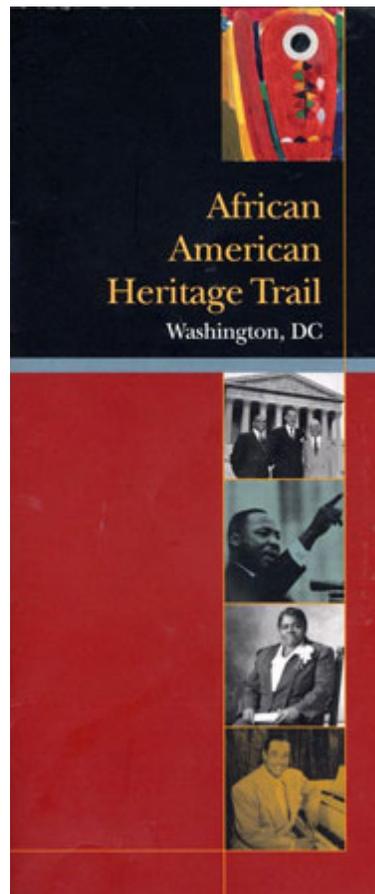
**5. Promote and display diverse aspects of Tyler’s history to enhance resident and visitor awareness of its importance.**

**ACTIONS:**

**5a. Collaborate with Historic Tyler, Inc. and other groups to develop thematic heritage trails.**

Heritage tourism plans often include the creation of heritage trails that provide walking or driving tours of a community’s history. Heritage trails link historic properties together in a cohesive manner that tells the story of a city or town’s history. Many larger communities create thematic heritage trails, which highlight certain aspects of their history, such as Boston’s Freedom Trail (Revolutionary War period highlights; 16 sites) and Washington, D.C.’s African-American Heritage Trail (African-American history in the city; 200 sites). Texas has ten regional heritage trails that follow scenic drives established in 1968; Smith County falls in the Texas Forest Trail region.

Tyler’s historic properties offer opportunities to create trails that communicate the city’s history to residents and tourists alike. Trails could deal with the rise of the city’s oil and gas industry, which firmly established Tyler as a wealthy regional center, or Tyler’s African-American community. Although the city’s three larger National Register historic districts provide logical sites for trail stops, heritage trails should



Washington, DC’s African-American Heritage Trail links over 200 historic sites in the city.



Interpretive signage along Boston’s Freedom Trail.

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also include commercial and industrial properties of importance, along with older properties in North Tyler that have contributed to different aspects of the city's development. These heritage trails could be contained within the city boundaries or could also be a part of regional trails linking together related sites in nearby communities (e.g. a regional railroad heritage trail).

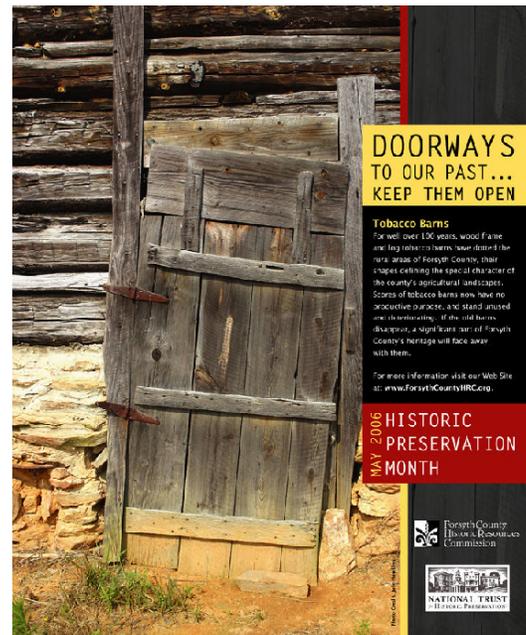
The City and Historic Tyler, Inc. should work with community groups such as the Tyler Convention and Visitors' Bureau, Tyler's chambers of commerce, the Heart of Tyler Main Street program, and local historical societies to develop plans for trail routes, historic research, interpretive signage, and trail maps and brochures. Heritage trail plans should also include a marketing element which details how these trails will be promoted to area visitors.

State heritage tourism programs provide grants for heritage trails. The Texas Historical Commission's Texas Heritage Trails Program awards annual grants (matching funds required) and projects such as local heritage trails are eligible for funding. In order to receive grants, however, an applicant must participate in the program. Membership would make the City eligible for other forms of heritage tourism support, such as state help in evaluating sites for heritage tourism activities.

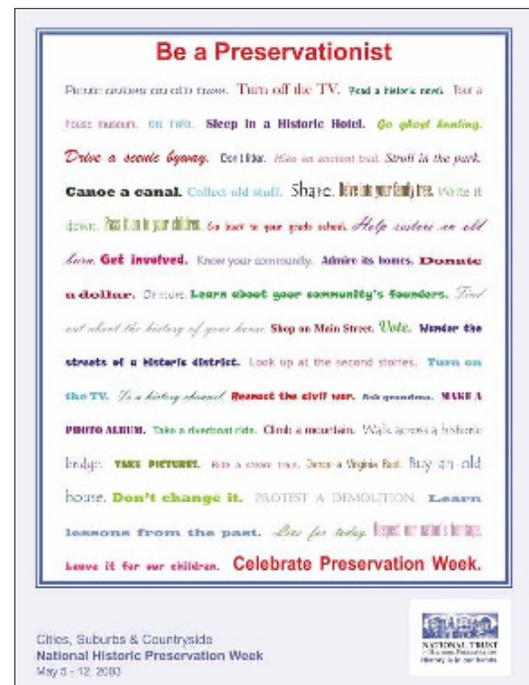
### **5b. Collaborate with Historic Tyler, Inc. to organize public events that celebrate Tyler's history and historic neighborhoods.**

The City should work with Historic Tyler, Inc. to offer public events that highlight Tyler's historical role as a regional center and its many historic neighborhoods. This is already done to some extent through the spring Azalea Trail and Historic Tyler, Inc.'s annual historic homes tour and photo identification contest, but preservation activities need to be expanded beyond the city's three largest National Register historic districts to include older neighborhoods and non-residential properties elsewhere in Tyler.

As part of National Preservation Month, the City and Historic Tyler could sponsor events designed to raise awareness about historic preservation throughout the city, such as historic walking tours and home and garden tours in neighborhoods outside of the Azalea District; lectures/



As part of Historic Preservation Month, Forsyth County, NC highlighted the importance of tobacco barns in its disappearing rural landscape.



The National Trust for Historic Preservation's poster for National Historic Preservation Week (2003) encourages history-related activities.

programs on preservation topics such as different styles, rehabilitation techniques, and doing research on a historic home; photo contests that feature participant photos; poster contests; educational events for children, such as field trips to historic buildings; oral history events; award presentations; and clean-up days for historic properties that may not be in good condition. These public events could coalesce around an annual local preservation workshop.

**GOAL:**

**6. Enhance public awareness of the economic benefits of historic preservation in Tyler.**

**ACTIONS:**

**6a. Expand the local landmarks program by contacting owners of key historic properties annually with information about the benefits of local landmark designation.**

The City and the Historical Preservation Board should continue to expand the local landmarks program by encouraging owners of historic properties to pursue local designation. Most of the properties in the city's National Register historic districts are not local landmarks; therefore, these property owners and other owners of "high" and "medium priority" properties identified in the historic resources survey should be contacted on an annual basis to urge them to protect their properties by entering them in the local landmarks program (or even to work together to create a local historic district). Materials should be provided that outline the local tax benefits that are available to landmarked properties, along with a brief discussion of the city's historic preservation ordinance and design guidelines, a description of the designation process, and information on how the City can help property owners with the designation process. These materials should also be posted on the Department of Planning and Zoning's webpage for viewing and downloading. All materials for the public should provide contact information (phone number and e-mail address) for the staff person who advises the HPB, and the City should also post this contact information on its website and in phone directories. Historic Tyler could also be enlisted to help publicize the local landmark program.

**6b. Continue to offer local historic preservation tax incentives.**

The City's recent expansion of local tax incentives for historic preservation shows a commitment to expanding the local landmarks program. These tax benefits may be very important preservation incentives for some owners of historic properties. Tyler's preservation tax incentives program is scheduled for review by the City Manager before August 2007. Continuing the 50% abatement (50% of the property's assessed value) will encourage owners to keep their properties in the local landmarks program and maintain them. Similarly, the abatement of the increase in assessed value after rehabilitation offers a good incentive for owners to rehabilitate their historic properties.

**6c. Publicize the availability of federal tax incentives and grants from the Texas Historical Commission for historic rehabilitation projects.**

The Historical Preservation Board, the Department of Planning and Zoning, the Department of Development Services, Historic Tyler, and the Heart of Tyler Main Street program should work together to publicize federal tax credits and state- and federal-level grants that are available for historic rehabilitation projects. Federal tax credits would apply

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to all income-producing properties that have received National Register designation (as an individual landmark or as part of a historic district); however, they might also provide incentives for other individuals with eligible properties to seek National Register designation. This may particularly be true for downtown properties or properties in or near other commercial areas, since the federal tax credits apply only to income-producing properties.

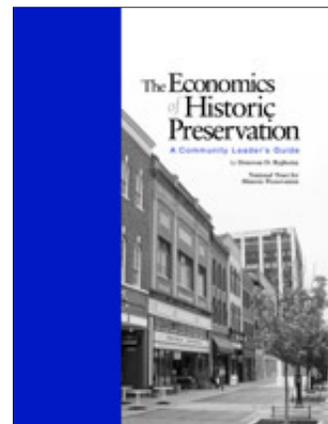
Federal tax credit information could be given out by the Department of Planning and Zoning or the Department of Development Services when applications are made for work to be done on properties that are at least fifty years old. The Historical Preservation Board, Historic Tyler, and the Heart of Tyler Main Street program could also disseminate information to property owners that might qualify for the federal tax credit. Historic Tyler and the Heart of Tyler are taking steps in this direction by planning to offer a tax credit seminar in 2007. Care should be taken to distinguish between the local landmarks program, which offers tax incentives only in exchange for additional regulation, and the federal program, which does not apply new local regulations but requires that rehabilitations be done in accordance with the Secretary of the Interior's preservation standards.

The Historical Preservation Board, Historic Tyler, and the Heart of Tyler Main Street program should also provide information on the availability of tax deductions for preservation easements. The Historical Preservation Board and others should ensure that property owners in the city's National Register historic districts, owners of individual National Register properties, and owners of property that is potentially eligible for National Register designation receive information about preservation easements and associated tax deductions.

In addition, non-profit owners of historic properties in Tyler should be made aware of the availability of small grants from the Texas Historical Commission and the National Trust for Historic Preservation's Preservation Trust Fund for rehabilitation projects. Grants are available for structural assessments, architectural surveys, economic analysis, and emergency intervention to stabilize a historic structure. Individual owners may also be able to work with Historic Tyler or the Historical Preservation Board to take advantage of small Certified Local Government grants from the Texas Historical Commission for the preparation of National Register nominations.

### ***6d. Quantify the existing and potential economic benefits of historic preservation.***

Offering concrete statistics on the impact of historic preservation may make preservation activities more comprehensible for some individuals. The Tyler Area Chamber of Commerce already does this to some degree, measuring the economic impact of Azalea Trail visitation. Public education materials created by the Historical Preservation Board and Historic Tyler should include discussions of economic benefits. Statistics about the impact of preservation and heritage tourism are widely available; Donovan Rypkema (a real estate consultant) and the National Trust for Historic Preservation have created many documents and presentations that quantify the impact of historic preservation activities throughout the country. Some of these documents measure impacts on a local



The National Trust for Historic Preservation publishes reports and books about the economic benefits of historic preservation.

or regional level. A list of these publications can be found at the National Trust for Historic Preservation's online bookstore, Preservation Books ([www.preservationbooks.org](http://www.preservationbooks.org)). The City or the Tyler Area Chamber of Commerce should measure the existing and potential economic benefits to the city in terms of tax base, increased tourism, and increased resident and tourist expenditures in the event of new historic designations and preservation activities. This information should be widely distributed through brochures; HPB, Historic Tyler, and Heart of Tyler informational materials; and online materials.

GOAL  
ADDED PER

**TYLER 1<sup>ST</sup>**

**GOAL:**

**7. Enhance Historic Preservation Involvement.**

**ACTIONS:**

**7a. Facilitate and adopt a strategic plan from collaborative efforts of all historic advocates in Tyler, such as, Historical Preservation Board, Smith County Historical Society and Historic Tyler, Inc.**

A strategic plan will highlight and provide direction in updating existing surveys and conduct new inventories of historic resources throughout the City. An ongoing survey and inventory program is critical to gaining a clear understanding of the number of historic and archaeological resources that should be protected, especially if they are and threatened. Specific strategy recommendations include incorporating survey work within neighborhood or district planning activities, prioritizing existing surveys for re-evaluation and re-survey, and undertaking additional thematic surveys that document historic and cultural contexts not explored before.

**7b. Educate residents of the importance of history, to better understand and appreciate historic preservation.**

Promoting the importance of historic preservation in safeguarding the City's unique heritage and in revitalizing neighborhoods should be ongoing activities. Implementing a comprehensive program of education and advocacy initiatives can also be opportunities to forge critical partnerships with other non-profit groups and civic organizations.

A comprehensive outreach effort to increase awareness of the tremendous value of Tyler's architectural, cultural, and archaeological resources, along with the benefits of historic preservation is essential. Several outreach initiatives are recommended including the development of a preservation lecture series, contractor training in preservation practices, and annual education event.

Recognizing the value of historic, archaeological and cultural resources within Tyler is one way in which to encourage their long-term preservation. Strategy recommendations could include organizing an annual historic preservation conference, developing walking tours and podcasts, and creating various educational materials programs for the local schools.

**7c. Develop, support and market historic and cultural places to travelers/tourists.**

Collaborative efforts should be developed between Historic Tyler, Inc., Smith County Historical Society, the Historical Preservation Board, City of Tyler and the Tyler Area Chamber of Commerce on identifying opportunities to strengthen and expand heritage tourism efforts. Some of the initiatives that could be considered include expanding the number of tour

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itineraries that reach other districts, neighborhoods and sites; developing a Tyler historic tour maps with podcasting and installing more effective wayfinding signage systems to districts. It is also recommended that a heritage tourism development study be undertaken by the Tyler Area Chamber of Commerce to fully explore additional ways in which an effective heritage tourism program can be developed. Furthermore, Historic Tyler, Inc., Smith County Historical Society, the Historical Preservation Board, City of Tyler and the Tyler Area Chamber of Commerce should partner on the implementation of additional cultural districts to advance heritage tourism initiatives, facilitate historic preservation projects, and promote cultural development activities.

### ***7d. Recognize the impact of historic preservation on economic development.***

Increase public awareness that historic preservation contributes to the City's economic development. A marketing campaign should be undertaken to communicate activities that promote historic preservation's economic impact to the public at large. Publishing an economic impact study is one such activity.

Consider preservation actions as integral components of existing and potential business district and neighborhood revitalization programs. Existing City sponsored initiatives that encourage historic preservation-based economic development should be expanded and enhanced. On such initiative is the Historic Overlay District program; expanded efforts in heritage and cultural tourism is another. Historic preservation activities should also be incorporated in priority reinvestment planning areas that have been designated by the City's Planning Department.