



Legislation Text

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File #: 23-2514, Version: 1

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**STRATEGIC PRIORITY:** Economic Development

**AGENDA DATE:** October 25, 2023

**COUNCIL DISTRICT(S):** 2, 4, 5, & 6

**DEPARTMENT:** Development Services

**EXECUTIVE:** Majed Al-Ghafry

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**SUBJECT**

A resolution classifying multiple nominated trees as historic trees, in accordance with Section 51A-10.133 of Article X within the Dallas Development Code to include **(1)** the Big Spring bur oak; **(2)** the grove of trees at Dealy Plaza; **(3)** the grove of thirty-five significant post oak trees situated at Pioneer Plaza Park; **(4)** the Cherokee Park Tree found at Dallas Heritage Village; **(5)** the California Crossing Comanche Marker Tree; and **(6)** the Moore Park Big Tree Grove - TH22-0001, HT22-0003, HT-22-0004, HT22-0005, HT22-0006, HT-0008 - Financing: No cost consideration to the City

**BACKGROUND**

The 2018 code amendments to the Article X tree conservation ordinance established a historic tree classification to be granted only by a resolution of the City Council for recognizing a tree, or grove of trees, as having cultural or historical significance to the citizens of the City of Dallas.

Section 51A-10.133 for historic trees provides the following:

- (a) The owner of the property must agree to have a tree designated as historic before the historic designation can be approved by City Council;
- (b) Historic status lasts for the life of the tree;
- (c) A certified copy of the resolution declaring a tree historic must be filed in the deed records of the county where the historic tree is located; and
- (d) Except as provided in Section 51A-10.140, the defenses to prosecution, historic trees may only be removed by authorization of the city council.

## Nominations

A series of historic tree nomination form applications were submitted by the Texas Historic Tree Coalition (TxHTC) Board of Trustees on October 24, 2022, to nominate multiple trees located on public property in the City of Dallas for historic classification. In addition, the Park & Recreation Department (PARD) nominated a grove of trees at Moore Park on April 11, 2023. In all, a total of 86 trees are being recommended for historic classification from six City of Dallas properties. All of the trees have been recorded in the Treekeeper Inventory System available in the city's Forestry web page.

### Application #22-0001. Big Spring Bur Oak. CC District 5

Application was submitted by the TxHTC for the significant bur oak tree at the Big Spring Site Historic Overlay District located at 1121 Pemberton Hill Road. The tree sets alongside a continuous spring that has provided water for thousands of years. The land was claimed in 1842 by John Beeman of the first family to settle permanently in Dallas County. It was later sold to Edward Case Pemberton whose family farmed and held the property for generations. It was purchased by the City of Dallas in 2003 as a part of the Great Trinity Forest Project. The Big Spring and its surrounding 15 acres were designated by the City Council as a Historic Overlay District on April 27, 2016. Under this ordinance, the bur oak tree and other noted trees within the district are protected as natural and cultural features. The historic classification is for one 48" diameter significant bur oak tree.

### Application #22-0003. Dealey Plaza Grove. CC District 2

Application was submitted by the TxHTC to nominate the groves of trees that serve as a witness to history as it happened on November 22, 1963 at the Dealey Plaza. The park was designed and built in the 1930's with live oaks, red oaks, and cedar elms planted along the streets and fountains. In 1993, Dealey Plaza was designated as a National Historic Landmark District. In conjunction with Texas Arbor Day on November 6, 1999, the grove was declared "Historic" by the Dallas Historic Tree Coalition (now known as the Texas Historic Tree Coalition). According to the PARD, the historic classification is designated for 22 mature live oak trees and 3 cedar elm trees within the park.

### Application #22-0004. Cherokee Oak Tree at Dallas Heritage Village. CC District 2

Application was submitted by the TxHTC to nominate the Cherokee Oak Tree at Dallas Heritage Village, representative of the nearby mature trees in this protected site. The tree was rooted in an area of abundance of water and wildlife which nourished families of Native Americans and the many waves of settlers who followed them. Furthermore, it stands on the grounds of Dallas' inaugural park, further enhancing its historical value. The historic classification is for one significant 47" bur oak tree.

### Application #22-0005. Post Oak Grove at Pioneer Plaza Park. CC District 2

A historic tree nomination form application was submitted by the Texas Historic Tree Coalition Board of Trustees to nominate the Post Oak Grove at Pioneer Plaza Park. This grove, located within the Blackland Prairie ecoregion, serves as a remaining fragment of the original Post Oak forest that extended from Oklahoma to parts of the Dallas/Fort Worth Metroplex. Its towering trees provide shade over the graves of Dallas' early settlers and founders. Remarkably, these post oaks are among the city's oldest, predating even the signing of the US Constitution, with many dating back to the mid-1700s. This grove has observed Dallas' transformation from a small collection of cabins to one of the largest cities in the United States. The historic classification is for 35 significant post oak, 4 live oak, and 1 pecan trees in the boundaries of Pioneer Plaza Park.

Application #22-0006. Comanche Marker Tree at California Crossing. CC District 6

A historic tree nomination form application was submitted by the Texas Historic Tree Coalition Board of Trustees to nominate the California Crossing Comanche Marker Tree. In May 1997, the age of this tree was approximated to be more than 150 years old. The Comanche Nation has officially acknowledged it as an ancient Comanche Marker tree, signifying its historical significance. It is believed that this tree served as a marker for the low water crossing on the nearby Trinity River, a crucial route utilized by both Native Americans and early settlers. Moreover, this tree has garnered attention in various publications as an authentic representation of an Indian Marker Tree. The historic classification is for one 26" significant pecan tree.

Application #22-0008. Moore Park Big Tree Grove. CC District 4

A historic tree nomination was submitted and approved by the Park & Recreation Department (PARC) on April 11, 2023, to nominate the Moore Park Big Tree Grove. Situated within a park initially set aside for the African-American communities of Dallas, these trees hold a special significance. In the past, this park served as one of the limited gathering places where the community could come together, engage in activities, enjoy barbecues, celebrate special occasions, or simply relax under the comforting shade of the towering trees. Remarkably, these trees were already well over a century old when the park was dedicated, marking them as living witnesses to the rich history of both the park itself and the African American community it represents. Considering their historical and cultural importance, it is strongly advised to preserve and recognize these trees for the benefit of future generations. Moore Park holds 16 significant pecan, 1 bur oak, and 1 Osage orange trees nominated for historic tree classification

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On June 27, 2018, the City Council authorized amendments to Article X amending Section 51A-10.133 to amend the reserved section to include standards for the application and conditions of the Historic Tree classification by Resolution No. 18-0977.

On May 10, 2023, the City Council authorized a resolution to classify the West Dallas Gateway Pecan tree as historic by Resolution No. 23-1170.

**FISCAL INFORMATION**

No cost consideration to the City.

**OWNER**

**City of Dallas**

Dallas Water Utilities  
Sarah Standifer, Director, Dallas Water Utilities

Park & Recreation Department  
John Jenkins, Director

**MAPS**

Attached