

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-07-0026

HLC DATE:

October 22, 2007

PC DATE:

November 13, 2007

APPLICANT: Aaron Reisfield, owner

HISTORIC NAME: Benjamin F. Lee House

WATERSHED: Boggy Creek

ADDRESS OF PROPOSED ZONING CHANGE: 1178 San Bernard Street

ZONING FROM: SF-3-NP

TO: SF-3-H-NP

SUMMARY STAFF RECOMMENDATION: Staff recommends the proposed zoning change from single family residence, neighborhood plan (SF-3-NP) district to single family residence – Historic, neighborhood plan (SF-3-H-NP) combining district zoning.

HISTORIC LANDMARK COMMISSION ACTION: Recommended a zoning change from single family residence, neighborhood plan (SF-3-N) district to single family residence – Historic, neighborhood plan (SF-3-H-NP) combining district zoning. Vote: 6-0 (Bunton and Hansen absent; Leary ill).

PLANNING COMMISSION ACTION: Recommended a zoning change from single family residence, neighborhood plan (SF-3-N) district to single family residence – Historic, neighborhood plan (SF-3-H-NP) combining district zoning. Vote: 9-0.

DEPARTMENT COMMENTS: The Benjamin F. Lee House is listed as a High Priority property in the East Austin Survey (2000).

CITY COUNCIL DATE: December 6, 2007

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION: Organization of Central East Austin Neighborhoods

BASIS FOR RECOMMENDATION:

The ca. 1905 Benjamin F. Lee House is an excellent representation of a vernacular transitional turn-of-the-century house and has great significance in the African-American history of Austin for its associations with Benjamin F. Lee, the proprietor of the Ideal Colored Mutual Aid Association, a vital institution in the city's African-American community.

Architecture:

One-story wing-and-gable plan frame residence with a partial-width hipped-roof independent porch on turned wood posts with decorative brackets; hipped-roof central dormer contains a 1:1 window; 1:1 fenestration.

Historical Associations:

The house appears to have been built around 1905; the first residents were Texas Rangers Frank Davis, Marvin Bailey, and Geoff White. However, by the mid-1910s, the San Bernard Street area began to transform into an African-American residential area. Minnie Williams, an African-American maid at the Sutor Hotel at 3rd and Congress, moved into this house around 1915. By the early 1920s, the house was owned and occupied by Lee Ligon, a meat cutter. In 1927, the house was purchased by Benjamin F. and Lizzie Lee. Lee was the president of the Ideal Colored Mutual Aid Association on 6th Street. Mutual aid societies grew out of the African-American churches, which had provided fellowship during times of illness and helped with funeral expenses. Mutual aid societies provided health and burial benefits for African-Americans who were denied insurance in the segregated society. Lee's Ideal Colored Mutual Aid Association was one of Austin's most prominent African-American businesses at the time, but did not survive the Great Depression. Lee moved out of the house around 1939; the mutual aid society folded by 1940. Hattie M. Branford, a maid and cook, resided in the house from the mid-1940s through the mid-1960s.

PARCEL NO.: 02070802110000

LEGAL DESCRIPTION: 58.67 feet x 81 feet of Lot 3, Block 6, Outlot 56, Division B, George L. Robertson Subdivision

ANNUAL TAX ABATEMENT: \$1,655; city portion: \$402.

APPRAISED VALUE: \$104,873

PRESENT USE: Residence

CONDITION: Good

PRESENT OWNER

Aaron Reisfield
1178 San Bernard Street
Austin, Texas 78702





DATE BUILT: ca. 1905

ALTERATIONS/ADDITIONS: None apparent

ORIGINAL OWNER(S): Frank Davis (1905)

OTHER HISTORICAL DESIGNATIONS: None

[illegible]

N   Subject Tract
 Zoning Boundary
 Pending Cases

ZONING CASE#: C14H-2007-0026
ADDRESS: 1178 SAN BERNARD ST
SUBJECT AREA: 0.00 ACRES
GRID: K22
MANAGER: S. SADOWSKY



1" = 200' OPERATOR: S MEEKS

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



BENJAMIN F. LEE HOUSE
1178 SAN BERNARD STREET

APPLICATION FOR HISTORIC ZONING

PROJECT INFORMATION:

DEPARTMENTAL USE ONLY

APPLICATION DATE: 10/03/07 FILE NUMBER(S): C14H-2007-0026

TENTATIVE PC DATE: _____ CITY INITIATED: YES / NO

TENTATIVE CC DATE: _____ ROLLBACK: YES/NO

CASE MANAGER: Shaw

APPLICATION ACCEPTED BY: Shaw

OTHER PROJECT DATA

OWNER'S NAME: Aaron Reisfield

PROJECT NAME: _____

PROJECT STREET ADDRESS (or Range): 1178 San Bernard Street

Austin TX ZIP: 78702

COUNTY: Travis

If project address cannot be defined, provide the following information:

Frontage ft. _____ ALONG THE _____ SIDE OF _____ APPROXIMATELY

(N,S,E,W) Frontage road

Distance _____ FROM ITS INTERSECTION WITH _____

Direction _____ Cross street

TAX PARCEL NUMBER(S): _____

AREA TO BE REZONED:

ACRES 0.1091 (OR) SQ.FT. 4,752

EXISTING ZONING	EXISTING USE	TRACT#	ACRES / SQ. FT.	PROPOSED USE	PROPOSED ZONING
<u>SF-3-NP</u>	<u>A1 Single family</u>			<u>Single family</u>	<u>SF-3-NP-H</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

RELATED CASES

ACTIVE ZONING CASE?	(YES / NO)	FILE NUMBER:
RESTRICTIVE COVENANT?	(YES / NO)	FILE NUMBER:
SUBDIVISION?	(YES / NO)	FILE NUMBER:
Site Plan	(YES / NO)	FILE NUMBER:

PROPERTY DESCRIPTION

(For the portion affected by this application) Provide either subdivision reference OR metes & bounds description.

1. SUBDIVISION REFERENCE: Name: Robertson GEO L SUBDIVISION

Block(s) 6 Lot(s) 58.67 x 81 FT of lot 3 Outlot(s) 56

Plat Book: VOL "Z" Page Number: 616

2. METES AND BOUNDS (Attach two copies of certified field notes.)

FILE NUMBER: _____

DEED REFERENCE OF DEED CONVEYING PROPERTY TO THE PRESENT OWNER:

VOLUME: Docket 2000200916 PAGE: _____ SQ. FT: _____ or ACRES _____

OTHER PROVISIONS

IS A VARIANCE TO THE SIGN ORDINANCE BEING REQUESTED? YES / NO
IS PROPERTY IN A COMBINING DISTRICT / OVERLAY ZONE? YES / NO
TYPE OF COMBINING DIST/OVERLAY ZONE (NCC,CVC,WO, etc) _____
NATIONAL REGISTER DISTRICT? YES / NO
URBAN RENEWAL ZONE? YES / NO
IS A TIA REQUIRED? YES / NO TRIPS PER DAY: _____
TRAFFIC SERIAL ZONE(S): _____ GRID NUMBER (S) _____

WATERSHED: Boggy WS CLASS: _____
WATER UTILITY PROVIDER: City of Austin
WASTEWATER UTILITY PROVIDER: City of Austin
ELECTRIC UTILITY PROVIDER: City of Austin

OWNERSHIP INFORMATION

TYPE OF OWNERSHIP ☒ SOLE ☐ COMMUNITY PROPERTY ☐ PARTNERSHIP ☐ CORPORATION ☐ TRUST
If ownership is other than sole or community property, list the individuals, partners, principals, etc. below or attach a separate sheet.

OWNER INFORMATION

SIGNATURE: [Signature] NAME: Aaron Reisfield
FIRM NAME: _____ TELEPHONE NUMBER: 512-499-8443
STREET ADDRESS: 1178 San Bernard Street
CITY/STATE/ZIP: Austin, Texas 78702

AGENT / PRINCIPAL CONTACT (If applicable)

SIGNATURE: _____ NAME: _____
FIRM NAME: _____ TELEPHONE NUMBER: _____
STREET ADDRESS: _____
CITY/STATE/ZIP: _____
CONTACT PERSON: _____ TELEPHONE NUMBER: _____

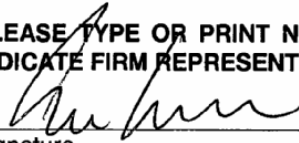
DEPARTMENTAL USE ONLY

Fee Receipt #: _____ Memo Order #: _____
CIP Number (s): _____
Number of notification signs needed: _____

SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the proper review of this application.

**PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND
INDICATE FIRM REPRESENTED, IF APPLICABLE.**

 9-28-07
Signature Date

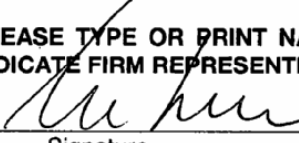
Aaron Reisfield
Name (Typed or Printed)

Firm

INSPECTION AUTHORIZATION

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

**PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND
INDICATE FIRM REPRESENTED, IF APPLICABLE.**

 9-28-07
Signature Date

Aaron Reisfield
Name (Typed or Printed)

Firm

ACKNOWLEDGMENT FORM

concerning
Subdivision Plat Notes, Deed Restrictions,
Restrictive Covenants
and / or
Zoning Conditional Overlays

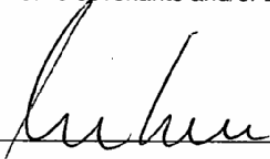
I, Aaron Reisfield have checked for subdivision plat notes, deed restrictions,
(Print name of applicant)

restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions i.e. height, access, screening etc. on this property, located at

1178 San Bernard Street
(Address or Legal Description)

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of a subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlay information which may apply to this property.


(Applicant's signature)

9/28/07
(Date)

TAX CERTIFICATE
Nelda Wells Spears
Travis County Tax Assessor-Collector
P.O. Box 1748
Austin, Texas 78767
(512) 854-9473

NO 609502

ACCOUNT NUMBER: 02-0708-0211-0000

PROPERTY OWNER:

REISFIELD AARON SHAI
1178 SAN BERNARD ST
AUSTIN, TX 78702-2041

PROPERTY DESCRIPTION:

58.67 X 81 FT OF LOT 3 BLK 6 OLT 5
6 DIV B ROBERTSON GEO L SUBD

ACRES 0.000 MIN% .00000 TYPE

SITUS INFORMATION: 1178 SAN BERNARD ST

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR	ENTITY	TOTAL
2006	AUSTIN ISD	*ALL PAID*
	CITY OF AUSTIN (TRAV)	*ALL PAID*
	TRAVIS COUNTY	*ALL PAID*
	TRAVIS COUNTY HEALTHCARE DISTRICT	*ALL PAID*
	ACC (TRAVIS)	*ALL PAID*
TOTAL SEQUENCE	0	*ALL PAID*

TOTAL TAX:	*ALL PAID*
UNPAID FEES:	* NONE *
INTEREST ON FEES:	* NONE *
COMMISSION:	* NONE *
TOTAL DUE ==>	*ALL PAID*

TAXES PAID FOR YEAR 2006 \$2,257.06

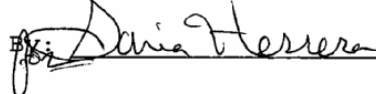
ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2006 EXCEPT FOR UNPAID YEARS LISTED ABOVE.

The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code). Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 09/06/2007

Fee Paid: \$10.00

Nelda Wells Spears
Tax Assessor-Collector



HISTORIC ZONING APPLICATION ATTACHMENT
1178 SAN BERNARD STREET, AUSTIN, TEXAS 78702

ANNOTATED TIMELINE

The 1178 San Bernard house is located within the Robertson Hill freedmen town which was being gradually settled during the latter part of the Nineteenth Century by African American freed slaves, Anglo Americans, Swedish and German immigrants. There were a few homes constructed along San Bernard Street during this period, and a few more were built just after the turn of the Century, of which 1178 San Bernard was one.

A review conducted by the Texas Historical Commission determined that the San Bernard Historical District is eligible for nomination to the National Register of Historic Places. The house at 1178 San Bernard Street is situated in the middle of this proposed San Bernard National Register Historic District; it is flanked by a good number of historic structures, some of which have already been designated by the City as historic (e.g., the Arnold House at 1170 San Bernard, the Scott-Hammond House at 1191 San Bernard, the Thompson House at 1171 San Bernard, the Roberts Clinic at 1174 San Bernard, and others).

1905-1914

It appears (it is not entirely clear) that 1178 San Bernard was probably the fifth or sixth structure built within the proposed San Bernard National Register Historic District. The house was built (ca. 1904-5) during the period just before the District became predominantly African-American, and the first occupants of the 1178 San Bernard house appear to have been Anglo-American Texas Rangers (Frank Davis, Marvin Bailey, Geoff White). An African-American resident who first appears in the 1910 Austin Directory, Richard M. Riley, is listed variously as being a supervisor at the State lunatic asylum and a mounted policeman (?). Mr. Riley, who shared the house with roommates, appears not to have been an owner.

1915-1926

In 1915, a resident of the house just to the south, Minnie Williams, appears to have moved into 1178 San Bernard. This is a bit confusing, for the dwelling that was then listed as 1178 San Bernard is today gone and has been replaced (ca. 1955) by a house listed as 1176 San Bernard; and the house considered today as 1178 San Bernard was then listed as 1180 San Bernard. Ms. Williams was a Sutor Hotel "maid." A few years later the house was owned and occupied by Lee Ligon (with Mattie), meat-cutter for Alex Schieffer.

1927-1936

It was in 1927 that the house appears to have been purchased and occupied by the prominent African-American businessman, Benjamin F. Lee (with Lizzie). By this time he was already President of the 'Ideal Colored Mutual Aid Association,' founded three years earlier, later to be listed in the Austin Directory as the 'Independent Ideal Colored Mutual Aid Association,' later as the 'Independent Ideal Colored Local Mutual Aid Association,' then the 'Ideal Mutual Benefit and Benevolent Association,' and finally the

'Ideal Benevolent and Mutual Benefit Association.' The company had its offices on Sixth Street and employed the motto 'A Home Company as Good as the Best.'

This was during a time of racial segregation and the presence of African-Americans on the East Side was becoming more concentrated as municipal services were not available to the freed slaves elsewhere in Austin. The community included more and more homeowners, a professional class was developing and there was increasing self-sufficiency. Prime examples of the trend toward vitality and self-sufficiency include the Roberts Clinic, which served the medical needs of the community, and the Ideal Benevolent and Mutual Benefit Association, which served to cover a broad spectrum of financial needs of the community. Benevolent societies during this period, themed upon the idea of mutual support and looking out for one another, were multifold in providing access, otherwise unavailable to the community, to various financial services such as loans and various types of insurance, funeral arrangements, etc.

1937-1964

The house at 1178 San Bernard is one house removed from the historic Roberts Clinic and was constructed over 30 years before the construction of the Clinic. The establishment of the Roberts Clinic on San Bernard Street in 1937 appears to have been during a time of change. A few years after the Clinic was built, Benjamin Lee's Company apparently went out of business and Mr. Lee moved out of 1178 San Bernard for good.

In 1940, ownership of the house is recorded to be a James L. Lee. In 1941, there's no longer any listing for Benjamin Lee's Benevolent Association, and 1178 San Bernard is listed as being vacant. The house is again occupied in 1942, now by a roofer, W.V. Jackson. In 1945, a Hattie M. Branford resided in the house, listed first as a maid, later as a cook. She appears to stay until 1963, when the house is again recorded as being vacant.

1965-present

A new resident appears in the 1965 City Directory, Prince Johnson Jr. (with Vera L.), a bartender at the Westwood Country Club. Mr. Johnson was followed in 1973 by Milton W. Alexander, then the name of Rosie Alexander appeared in the 1976 Directory, Robert Alexander in the 1978 Directory, Margo Rutt in the 1980 Directory, and John Wiley in the 1985 Directory. Margot Wright was the next owner, living in the house from 1987 to 1993. Donna Shepherd purchased the house in 1993, where she resided until 1997, when she rented it for a short period to the current owner, Aaron Reisfield, before selling it to him.

ADDITIONAL NOTES

Architecturally, San Bernard Street is highly significant, as described in the 2000 'Historic Resources Survey of East Austin.' Individual dwellings on the Street were evaluated, house by house, by the firm of 'Hardy-Heck-Moore and Myers.' Structures were rated with respect to the priority of preserving them (high, medium, or low-priority). The 1178 San Bernard Street structure was given the high-priority rating, with the following comments:

4-room, pyramidal roof dwelling with a projecting front-gabled wing. Character-defining elements include pent eaves, decorative turned wood porch posts and pilasters with decorative brackets, asymmetrical façade, and doghouse dormer. Alterations include a rear shed roof addition. Dwelling retains its original windows and door configuration, roof form, and overall plan to an outstanding degree. High Priority.

Since this assessment by the Historic Resources Survey, there have been no alterations to any of the historic elements of the structure. There is now a new roof, and at the time of this writing, an exterior paint job is ongoing. All work is being carried out with the purpose of highlighting and preserving historic elements. Due to some decades-old fencing, and especially some landscape plants which have, over the years, grown substantially, the street visibility of the house has been compromised, however, there is a good view of the house during the season that the plants are without leaves, and the property is always open to any should they wish to approach and view the house.

This information conveyed by this attachment represents my current state of understanding as of September 27, 2007.



Aaron Reisfield
1178 San Bernard Street
Austin, TX 78702