

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-2015-0082

HLC DATE:

July 27, 2015

August 24, 2015

September 26, 2015

PC DATE:

APPLICANTS: Jon Pierre and Angela Filardi, owners

HISTORIC NAME: Rainey House

WATERSHED: Bull Creek

ADDRESS OF PROPOSED ZONING CHANGE: 3941 Balcones Drive

ZONING FROM: SF-3 to SF-3-H

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

QUALIFICATIONS FOR LANDMARK DESIGNATION:

Architecture and historical associations.

HISTORIC LANDMARK COMMISSION ACTION: July 27, 2015: Postponed at the applicant's request. August 24, 2015: Postponed at the applicant's request.

PLANNING COMMISSION ACTION:

DEPARTMENT COMMENTS: The house is beyond the bounds of the Comprehensive Cultural Resources Survey (1984).

CITY COUNCIL DATE:

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION: Highland Park West – Balcones Area Neighborhood Association

BASIS FOR RECOMMENDATION:

Architecture:

The house is an excellent example of mid-century Modern design with all of the hallmarks that defined the style – a long, low profile with a flat roof and walls of glass. Mid-century Modern design stressed the integration of the outdoors with the indoors, and was meant to encourage residents to be outside more. The style also is known for its open floor plan, with multiple uses in the same spaces, and the use of innovative and modern materials: the Rainey House has post-and-beam construction, which eliminated heavy support walls and allowed for the construction of walls that seem to be expanses of glass. Mid-century Modern design also stressed the use of natural materials – the end walls of the Rainey House are faced with native limestone.

Historical Associations:

The house was designed by Barton Darrell "B.D." Riley, a native of Harlingen, Texas, who graduated from the University of Texas with his degree in architecture in 1950. He practiced with prominent local architects Giesecke, Kuehne, and Brooks, before beginning his own partnership with Emil Niggli in the mid-1950s. Although he designed a number of schools and commercial buildings, Riley was particularly known for his residential work in Austin, including a number of houses in the Balcones Drive section of the city. Influenced by the pinnacle of the style in Palm Springs, California, Riley designed long, low houses on hilly terrain in West Austin, using the latest in building technology. His houses in Austin are some of the best examples of mid-century Modern design anywhere.

Riley designed the house at 3941 Balcones Drive in 1957 for Dr. John R. (J.R.) Rainey and his family. J.R. Rainey was born in Edgewater, Texas in 1920 and grew up in Dallas. He attended Texas A&M University and graduated from the UTMB in Galveston in 1946. He married Betty Jean Smith, a nurse he met while in medical school. After serving in the U.S. Air Force Medical Corps, Dr. Rainey established his medical practice in Austin.

Rainey was certified as pathologist by the Texas Medical Association and the American Board of Pathology. With this specialty, he was instrumental in persuading the City of Austin to establish a Department of Pathology at Brackenridge Hospital in 1958. He pushed for the creation of a medical examiner system in the State of Texas to identify causes of death and in relation to deaths resulting from criminal acts. Dr. Rainey was very active in many civic and professional societies and organizations, and founded Clinical Pathology Labs in Austin with Dr. Charles Pelphrey to conduct autopsies and perform necessary laboratory tests for patients seeking medical treatments.



Dr. J.R. and Betty Rainey with one of their daughters

LEGAL DESCRIPTION: LOT 1 BLK F BALCONES PARK ADDN SEC 2 & S 24.98 FT OF LOT 2 BLK Q
BALCONES PARK ADDN SEC 6

ESTIMATED ANNUAL TAX ABATEMENT: \$8,500 (owner-occupied – capped by all jurisdictions.

APPRAISED VALUE: \$917,711

PRESENT USE: Residence

CONDITION: Excellent

PRESENT OWNERS:

Jon Pierre and Angela C. Filardi
3941 Balcones Drive
Austin, Texas 78731

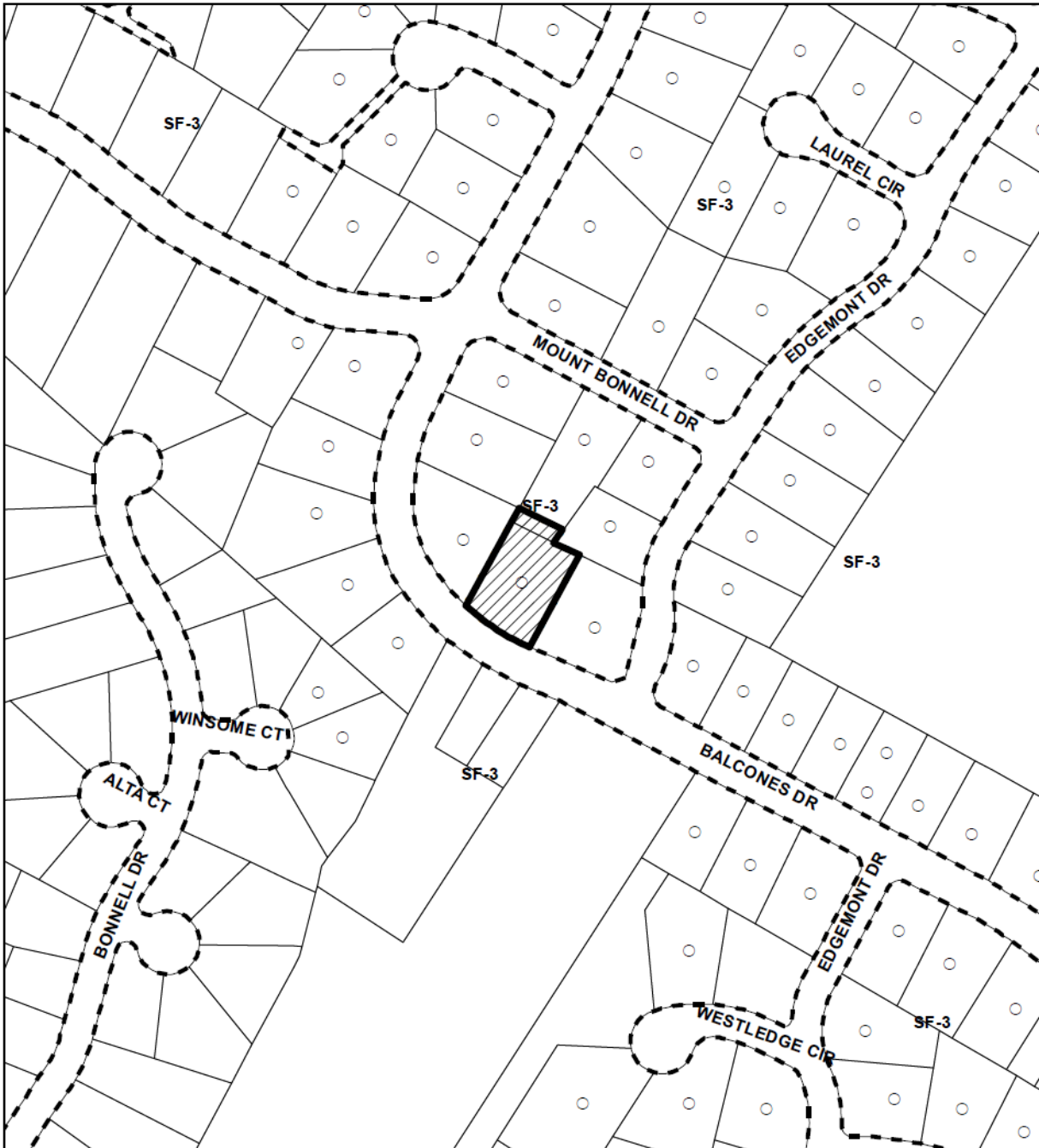
DATE BUILT: ca. 1957

ALTERATIONS/ADDITIONS: Original flat roof was rebuilt with a slight incline by the original owner.

ORIGINAL OWNER(S): Dr. J.R. and Betty Rainey (1957)

OTHER HISTORICAL DESIGNATIONS: None.

LOCATION MAP



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 200'

HISTORIC ZONING

CASE#: C14H-2015-0082

LOCATION: 3941 BALCONES DR

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







A. APPLICATION FOR HISTORIC ZONING

OK. 0 A.1-7
SS
4-16-15

PROJECT INFORMATION:

DEPARTMENTAL USE ONLY	
APPLICATION DATE: _____	FILE NUMBER(S) _____
TENTATIVE HLC DATE: _____	
TENTATIVE PC or ZAP DATE: _____	
TENTATIVE CC DATE: _____	CITY INITIATED: YES / NO
CASE MANAGER _____	ROLLBACK: YES/NO
APPLICATION ACCEPTED BY: _____	

BASIC PROJECT DATA:

<p>1. OWNER'S NAME: Jon Pierre & Angela Filardi 2. PROJECT NAME: J.R. Rainey House 3. PROJECT STREET ADDRESS (or Range): 3941 Balcones Drive ZIP 78731 COUNTY: Travis County</p>

AREA TO BE REZONED:

4. ACRES: 0.436 (OR) SQ.FT. 19013.41					
5. ZONING AND LAND USE INFORMATION:					
EXISTING ZONING	EXISTING USE	TRACT# (IF MORE THAN 1)	ACRES / SQ. FT.	PROPOSED USE	PROPOSED ZONING
SF-3	residential	_____	0.436	residential	SF3 - H
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

RELATED CURRENT CASES:

6. ACTIVE ZONING CASE? (NO)	FILE NUMBER: _____
7. RESTRICTIVE COVENANT? (NO)	FILE NUMBER: _____
8. SUBDIVISION? (NO)	FILE NUMBER: _____
9. SITE PLAN? (NO)	FILE NUMBER: _____

PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):**10a. SUBDIVISION REFERENCE:** Name: Balcones Park Addition

Block(s) F Lot(s) 1 and the south 24.98 feet of Lot 2 Block Q, Balcones Park Addition, Section 6
 Plat Book: Vol. 6 Page Number: 90 and Vol. 7, page 77.

10b. METES AND BOUNDS (Attach two copies of certified field notes if subdivision reference is not available or zoning includes partial lots) - included in deed chain**DEED REFERENCE CONVEYING PROPERTY TO PRESENT OWNER AND TAX PARCEL I.D.:**

11. VOLUME: 2009172754 TAX PARCEL I.D. NO. 122966 Geographic ID 0126050206

OTHER PROVISIONS:**12. IS PROPERTY IN A ZONING COMBINING DISTRICT / OVERLAY ZONE? NO**

TYPE OF COMBINING DIST/OVERLAY ZONE (NCCD, NP, etc) _____

13. LOCATED IN A LOCAL OR NATIONAL REGISTER HISTORIC DISTRICT? NO**14. IS A TIA REQUIRED? NO** (NOT REQUIRED IF BASE ZONING IS NOT CHANGING)

TRIPS PER DAY: _____

TRAFFIC SERIAL ZONE(S): _____

OWNERSHIP TYPE:

15. ☐ SOLE ☒ COMMUNITY PROPERTY ☐ PARTNERSHIP ☐ CORPORATION ☐ TRUST

If ownership is other than sole or community property, list individuals/partners/principals below or attach separate sheet.

OWNER INFORMATION:**16. OWNER CONTACT INFORMATION**

SIGNATURE: Pierre Filardi

NAME: Pierre Filardi

FIRM NAME: _____

TELEPHONE NUMBER: 512-922-7424 mobile

STREET ADDRESS: 3941 Balcones Drive

CITY: Austin STATE: Texas ZIP CODE: 78731

EMAIL ADDRESS: pfilardi@att.net

AGENT INFORMATION (IF APPLICABLE):**17. AGENT CONTACT INFORMATION**

SIGNATURE: Phoebe Allen

NAME: Phoebe Allen

FIRM NAME: _____

TELEPHONE NUMBER: 512-627-8170

STREET ADDRESS: 2510 Cedarview Drive

CITY: Austin STATE: Texas ZIP CODE: 78704

CONTACT PERSON: Phoebe Allen TELEPHONE NUMBER: 512-627-8170

EMAIL ADDRESS: phoebezink@gmail.com

C. SUBMITTAL VERIFICATION AND INSPECTION AUTHORIZATION

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.

Jon Pierre Filardi 4/21/15
Signature Date

Jon Pierre Filardi
Name (Typed or Printed)

Firm (If applicable)

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.

Jon Pierre Filardi 4/21/15
Signature Date

Jon Pierre Filardi
Name (Typed or Printed)

Firm (If applicable)

E. ACKNOWLEDGMENT FORM

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

I, Jon Pierre Filardi, 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

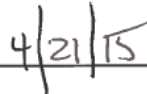
3941 Balcones Drive, Austin, Texas
(Address or Legal Description)

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)



(Date)

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

NO 2247697

ACCOUNT NUMBER: 01-2605-0206-0000

PROPERTY OWNER:

FILARDI JON PIERRE & ANGELA C
 3941 BALCONES DR
 AUSTIN, TX 78731-5809

PROPERTY DESCRIPTION:

LOT 1 BLK F BALCONES PARK ADDN SEC
 2 & S 24.98 FT OF LOT 2 BLK Q BAL
 CONES PARK ADDN SEC 6

ACRES .4365 MIN% .000000000000 TYPE

SITUS INFORMATION: 3941 BALCONES DR

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
2014	AUSTIN ISD	*ALL PAID*
	CITY OF AUSTIN (TRAV)	*ALL PAID*
	TRAVIS COUNTY	*ALL PAID*
	TRAVIS CENTRAL HEALTH	*ALL PAID*
	ACC (TRAVIS)	*ALL PAID*

TOTAL SEQUENCE 0

ALL PAID

TOTAL TAX:
 UNPAID FEES:
 INTEREST ON FEES:
 COMMISSION:
 TOTAL DUE ==>

ALL PAID
 * NONE *
 * NONE *
 * NONE *
 ALL PAID

TAXES PAID FOR YEAR 2014 \$20,567.64

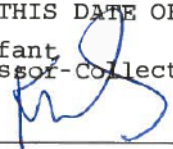
ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2014 EXCEPT FOR UNPAID YEARS LISTED ABOVE.

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 04/20/2015

Fee Paid: \$10.00

Bruce Elfant
 Tax Assessor-Collector

By: 

Rainey House
3941 Balcones Drive, Austin, Texas
Compiled by Phoebe Allen

The Rainey House is a quintessential Mid-Century Modern home faced in white stucco and walls of glass, with its original turquoise trim. Architect **B.D. “Pat” Riley** designed the iconic home at 3941 Balcones Drive in 1957 for the family of distinguished pathologist **Dr. J.R. Rainey**, who encouraged the City to provide a department of pathology at Brackenridge Hospital, was active in statewide efforts to create a forensics lab for identification of questionable deaths and those involving criminal activity, and co-founded Clinical Pathology Lab (CPL) which expanded to hospitals to perform labwork and autopsies and is today a multi-state company.

The architect, Pat Riley, has designed commercial buildings, schools, churches and municipal buildings as well as residences. The house retains a very high degree of architectural integrity, despite having been at high risk of demolition before being purchased by its present owners.

Letters of support from the Highland Park West Balcones Area Neighborhood Association, Preservation Austin, Mid Tex Mod – the Central Texas chapter of Docomomo US, and architect Rick Black, AIA, are attached.

CONTEXT: Neighborhood and Architecture

The Highland Park West / Balcones neighborhood once several smaller neighborhoods now joined under one neighborhood association. Bounded by 2222 to the north, Mt. Bonnell Road to the west, West 35th Street to the south, and Mo-Pac to the east, the neighborhood’s residents are in proximity to the Bright Leaf Natural Area – a 217-acre nature preserve, Mount Bonnell – where hikers have admired views since Austin’s earliest days, Laguna Gloria Museum of Art, Perry Park, and the Texas National Guard’s Camp Mabry. The neighborhood is known for its mature landscaping, tall trees, large lots and views of Downtown Austin.

Mid-Century Modern architects such as Fehr and Granger, Roland Roessner, Sr., and Harwell Hamilton Harris built a number of houses in the Highland Park West and Balcones neighborhoods. But many of Austin’s Mid-Century Moderns are in danger of being demolished and replaced by much larger homes, such as the adjacent home to the east, occupied by Coach **Mack Brown** for several years. The Rainey House was no exception, as its previous owner encountered several demolition-minded prospective buyers until Pierre Filardi happened across the home and saw it’s historic value. Deferred maintenance and demands for more space threaten the existence of these unique structures that - with appreciation and careful attention – can be maintained as heirlooms that form the fabric of Austin’s neighborhoods.¹

Though the American Mid-Century Modern’s aesthetic was slightly more organic and less formal than the International Style, it is more firmly related to it than any other, emphasizing ample windows and open floor plans, opening up interior spaces and bringing the outdoors in. The flat-roofed subtype of the Contemporary Style, popular from 1940 to 1980, is a derivative of

¹ Black, Rick. “Mid-Century Modern Houses in West Austin,” *The HPWBANA/Highland Park West Balcones Area News*, January 2014. Black serves on the board of MidTexMod, the local chapter of docomomo.us, a national preservation organization for modern architecture.

the earlier International Style and resembles the International in having flat roofs and no decorative detailing. Many Mid-Century houses, like the Rainey House, utilized then groundbreaking post and beam architectural design that eliminated bulky support walls in favor of walls seemingly made of glass. Functional emphasis was placed on targeting the needs of the average American family, and integration into the landscape was stressed.

The city of Palm Springs is noted for one of the highest concentrations of Mid-Century Modern architecture in the country; its desert climate and hillside situations called for a unique design. The Rainey House shares many characteristics with the Palm Springs Mid-Century Modern Style: angularity, post-and-beam construction, carports and large driveways, walls of glass that open the house to the outdoor spaces and afford dramatic views on hilly sites such as those on Balcones Drive, and deep overhangs that shelter the building from Austin's hot sun and periodic rainstorms.

Architects Donald Wexler, E. Stewart Williams, William Krisel, Albert Frey, William F. Cody, and Richard Neutra were Palm Springs' most well known designers. According to the recollection of the architect's former wife, Patti Riley-Brown, Barton Riley never visited Palm Springs, but the home quite strongly invokes the design of homes by other noteworthy Mid-Century Modern architects like Pierre Koenig, Richard Neutra and others. Elements of the Rainey House are reminiscent of Pierre Koenig's 1959 Case Study House #22, also known as the Stahl House, in the Hollywood Hills section of Los Angeles, made famous by a highly recognizable Julius Schulman photograph and several film shoots. Perched on a cliff overlooking the city skyline, Koenig's cantilevered foundation was considered daring and ahead of its time. It is likely that Riley had knowledge of the style's characteristics and its groundbreaking designers through architectural books and periodicals. Riley-Brown also noted that Pat Riley, who knew the Rainey's socially, took his clients' preferences and needs into careful consideration and incorporated those ideas with the lot upon which it was built.

OVERVIEW: Architectural Description

Perched high above Balcones Drive with views of the surrounding hill country and Lake Austin², the Rainey House is built of concrete and steel to commercial specifications. The single-level home is constructed partially on bedrock, with the cantilevered bedroom wing supported by concrete piers over a carport and the entire length of the house held up laterally by three steel beams running the length of the house under the floor, allowing for a greater span and the integration and convenience of a carport under the same roof line, a common Mid-Century Modern technique on sloping land.

The design represents significant innovation in residential design of its era. It's environment-conscious aspects are also exemplary for the time: generous overhangs to allow the sun to enter in winter but shade the interior in the hot Texas summers, and an open plan to invite prevailing breezes.

Both east and west ends of the house are limestone walls, with only one window in the master bedroom end wall. Walls of oversized sliding glass doors and windows (each 5 feet wide and 8 feet tall, plus upper lights) on both the north (rear) and the south, street-front façade of the house afford great natural light and let the outdoors in. A long, covered terrace overlooks the

² According to Laura Leshikar, daughter of Dr. Rainey, one could see the lake from every room in the house when she lived there, from the age of seven until 18. "We even asked the neighbors across the street to top their trees years later, which they did once but would never do it again."

front garden and a private swimming pool installed by Rainey circa 1963. Turquoise iron railings surround the terrace, pool, entry stairway, and extend into the upper rear landscape.

A steep, gated drive with off-street parking for 8 cars (two covered) leads to the rear entry, which is flanked by two depressions – a water feature with a fountain on one side and a gravel filled planter on the other. There is no front entryway, although the sliding glass doors do open to the front terrace, which overlooks the pool. There is a large interior planter box at the entry that was originally used for plants but is currently covered and supports statuary. Dr. Rainey replaced the original flat roof with a slightly inclined metal roof and downspouts after leaks developed in the original tar and gravel roof. The kitchen features the original cabinetry, meticulously updated and maintained. The original intercom with the names of the Rainey children is still in place in the kitchen. The small bath retains its original tiled shower in yellow. Sconces in the master bedroom are original.

A partial unfinished space in the basement was used primarily for storage and as a work area. A toilet was added later for workmen's use.

Alterations

According to the three adult Rainey children who visited the home on December 6, 2014, the house exterior remains virtually unchanged from the time they lived there, and even the interior has no change in the layout other than the expansion of the master bath and incorporation of a small office into the master closet. Previous owners Terry Eaton and Robert Williams IV updated the kitchen with granite countertops and backsplash and new appliances in 2009.

All of the flooring has been replaced. The bedroom hallway and smaller bedrooms originally had cork floors. The wide hallway in the bedroom wing is now separated from the master bedroom by a pocket door. The main areas were all originally tile except for the living room, which was carpeted.

While the large single and multi-trunk oaks in the rear of the house are original to the Rainey family, previous owner Charlotte Warren added extensive Palm Springs-style, drought-friendly landscaping to the front garden. Warren also added a lid to the planter box inside the front entry to utilize the space for display of sculpture.

The Rainey children described the original entry fountain as a part of a "swamp cooler" gas air conditioning system which ran water from a corner tower in the upper back yard³ toward the house through a series of terraces and then parallel with the house to a waterfall that emptied into a fish pond at the entry. The original pond was concrete, without the turquoise tiles that now trim the pond and planter on either side of the entry stairs. Water lilies and goldfish grew in the planter to the left of the stairs. The water was pumped back up to the tower from this point. Over time, various issues with the system developed and the tower and terraces were gradually phased out.

SIGNIFICANCE

The Rainey House is a significant Austin structure as an early architectural example of a "Palm Springs" style Mid Century Modern residence designed by an important Austin architect

³ According to the Rainey children, their father purchased the rear part of the lot, where the cooler tower was located, from his adjacent neighbor, Wallace Scott. The current utility pole is on the Rainey's former lot line.

of the period. The home was built for the family of Dr. J.R. Rainey, a pathologist active in medical endeavors in Austin and recognized by the Texas Society of Pathologists. The structure's period of significance is 1957-2008.

Biography of Architect

Barton Darrell "Pat" Riley (1925 – 2011) was born in Harlingen to Robert and Mildred Reilly and raised in the Valley, playing football and other sports for San Benito High. After taking the Greyhounds football team to the district champions in 1942 and graduating in 1943, Pat Riley followed his twin brother Mike into the U.S. Marines, serving on Iwo Jima as a Corporal during World War II (1943-45). Selected for Officer Candidate School, Pat chose to leave the Corps after the war ended to attend the University of Texas on the GI Bill, earning a degree in architecture in 1950.

He became a member of the Central Texas Chapter of the AIA in 1953 and served as secretary in 1961. Riley first practiced as a designer and draftsman with several prestigious Austin firms, including Giesecke, Kuehne & Brooks (1950-51) and Niggli & Gustafson (1951-53). He formed a partnership as Niggli⁴ and Riley in 1954 until Niggli's death in 1961. Riley established a private practice in 1960 as **Barton D. Riley, AIA, and Associates**.⁵ He served as the secretary for the AIA Central Texas Chapter in 1961.

Riley served on the **City Planning Commission** and was a consultant to The Texas Restaurant Association. He designed a number of commercial and municipal buildings, but it was in residential that his talent for art was easily seen. With his contemporary style, he helped shape the unique landscape that Austin is known for.

While focused on residential architecture, Riley also designed numerous office and municipal buildings around Austin and the state. He taught architectural engineering at the University of Texas College of Engineering, influencing a new generation of architects and engineers over 25 years.

Known for his passion and skill as a fisherman, Riley relocated his practice and home in 1977 to Port O'Connor, where he became a skilled water colorist known for his remarkable scenes of the Gulf Coast. He saw beauty in birds, fish and rusted out shrimp boats. As the only architect in the area at the time, Riley designed a number of municipal buildings in the South Texas area. He retired from practice in 2000 and built his final home in Kerrville. Riley had two sons, Michael Riley of San Antonio and Shaughn Riley of Leander, and two daughters, Shannon and Kerry Riley, both deceased.⁶

Principal Works⁷:

- Texas Restaurant Association Building, Austin, 1958

⁴ Austin History Center archives: Niggli and Gustafson partnership was from 1945 to 1958. Winfred O. Gustafson (abt 1914-1985), was an architect from 1935-83.

⁵ 1962 AIA listing.

⁶ Source: Obituary published in Austin American-Statesman on Jan. 17, 2012.

<http://www.legacy.com/obituaries/statesman/obituary.aspx?n=barton-darrell-riley-pat&pid=155517021>

⁷ Sources: 1962 AIA listing, Austin History Center architectural files.

<http://www.modernaustin.com/balcones-barton-riley/>. AIA Central Texas Chapter, 1953. Works and bio confirmed by Riley's first wife, Patti Riley-Brown, in a phone interview, December 10, 2015.

- Texas Motor Transportation Building, Austin, 1956
- St. John's Elementary School, Austin, 1958
- Gonzales Municipal Building, Gonzales, 1959
- Wooten Elementary School, Austin
- 1306 West Lynn, St. Luke's Methodist Church, Austin
- Texas Press Association on 5th Street, Austin, 1960s
- LCRA Building, Austin, 1951
- Lower Colorado River Electric Building, Giddings, 1960
- Katherine A. Cook Elementary School, 1511 Cripple Creek Drive, Austin, 1973 (AHC files)
- Hicks Residence, 4501 Balcones Drive, Austin, 1956 (AHC files)
- Cinema 1 & 2, Highland Mall, 1971-72, (AHC files)
- Werth House, 1957. Sloan and Peggy Hamilton-Houser, kitchen featured in Dwell magazine
- Numerous custom homes in the Austin Contemporary style, including his own family's 1952 residence at 4515 Balcones Drive

Biography of Original Owners: John R. Rainey Jr. & wife Betty Jean Smith Rainey

A native Texan, Dr. "J.R." Rainey (1920 -1991) was born in Edgewater to John Roland Rainey (1895-1963) and Hattie Mae Jones Rainey (1901-1999) and grew up in Dallas, where he attended public schools. He earned a bachelor's degree at Texas A & M University and his medical degree from The University of Texas Medical Branch (1946). He married Betty Jean Smith (1923-2011), a nurse he met while in medical school, in 1948 and the couple had two daughters, Laura Rainey Leshikar of Austin and Linda Rainey of Lakeway, and one son, Vern Rainey of Georgetown. (The three children revisited the home together in December 2014.)

Dr. Rainey served with the U.S. Air Force Medical Corps and was a member of the Travis County Medical Society, the Texas Medical Association, and the American Medical Association from 1952 until his death. He was certified by the American Board of Pathology.

Active in local medical and civic affairs, Dr. Rainey served on a committee to study the expansion of the city-owned **Brackenridge Hospital**, which resulted in the City's agreement to provide a department of pathology at Brackenridge Hospital in December of 1958. For many years he supported and was active in statewide efforts to create a formal medical examiner system for the proper identification and disposition of questionable deaths and those involving criminal activity.

Rainey founded **Clinical Pathology Lab (CPL)** with Charles Pelphrey. Originally on Red River Street, it expanded to hospitals and Medical Arts Square. The lab carried out autopsies and performed lab work, including work for cancer labs in hospitals. CPL functions today as a multi-state company.

Rainey served throughout his medical career in Austin in either an appointed or elected position of organized medicine and was particularly active in the legislative and political activities of the TMA and the College of American Pathologists. He served on the Board of Governors of the **College of American Pathologists** the maximum two three-year terms, from 1979 to 1985⁸. In 1964 he was selected by the CAP to visit Moscow and Leningrad as a guest of the Soviet Ministry of Health to help set up pathology labs, participating in the first doctor-to-

⁸ Liz Cramer, Manager, CAP Policy and Records, College of American Pathologists, 325 Waukegan Road, Northfield, IL

doctor visit of its kind.⁹

Rainey was elected a charter member of the **Central Texas Health Plan** in the late 1970s, and in 1974 served as Chief of Medical Staff for **St. David's Community Hospital**. Elected to the AMA House of Delegates by the TMA House of Delegates, he served until 1988. As a practicing pathologist, Dr. Rainey was identified by his peers as a leader and supporter of excellent medicine. In 1965 he was elected President of the **Texas Society of Pathologists** and in 1977 received the **George Caldwell Gold Medallion**, a prestigious award presented when merited to a distinguished Texas pathologist who furthered greater understanding of pathology in the state. In 1989 the Texas Society of Pathologists announced that in the future the first place prize of the residents/fellows seminar competition would be known as **The Dr. John R. Rainey Award**, and established the **JR Rainey Residents/Fellows Seminar** in his honor.

Rainey also served as an Elder and Chairman of the Board at University Christian Church and was a member of the Journal Club, the Headliners Club, and Westwood Country Club.¹⁰

Betty Jean Smith Rainey (1923-2011) was the daughter of Sarah and Vern Smith of Durant, Oklahoma. She was a nurse and active volunteer, president of various organizations including the **Junior Helping Hand** and **Austin Symphony League**, and was active in her church, University Christian, where she was proud of starting the fund that helped kick off the purchase of a pipe organ there. Betty modeled for **Grace Jones of Salado** for many years, enjoyed snow skiing, piano, harp, bridge, travel, and giving parties at the Headliner's Club and at their home on Balcones Drive. After her first husband's death in 1991, she married Judge Denton Gossett, a former high school sweetheart and Oklahoma native. The couple lived in the Rainey home until Judge Gossett's death in 2008.

Biography of Current Owners

Dr. Jon Pierre Filardi is a board-certified anesthesiologist, specializing in pediatric anesthesia. In practice for 25 years, Dr. Filardi received his medical training at the University of Texas Medical Branch in Galveston, Texas (1984) and completed his anesthesiology residency at the University of Kansas Medical Center (1987). He was a fellow in pediatric anesthesiology at the Boston Children's Hospital (1988) and is a member of the American Medical Association, Texas Medical Association, American Society of Anesthesiologists and the Society of Pediatric Anesthesiology.

He is an ac

Austin marathon medical team for 12 years, and holds a level one triathlon coaching certification from the U.S. Olympic Training Center, San Diego. Additional interests include a love of travel, photography, swimming and running. Dr. Filardi and his wife Angela have three children.

Angela Filardi is a registered nurse, graduate of The University of Kansas School of Nursing, and a fan of Jayhawks basketball. She has been a member of the Junior League of Austin, Dell Children's Hospital Foundation Women's Trust, president of Seton Development Board, and officer of the Travis County Medical Alliance. She has served as annual gala chair for the Seton Development Board, the Children's Hospital, and Travis County Medical Alliance, and has been active in fundraisers for St. Andrews Episcopal School.

⁹ Rainey's passport indicates he landed in Russia on Aug. 28 and left on September 9, 1964.

¹⁰ Sources: Obituary, Austin American Statesman, Dec. 1, 1991. Travis County Medical Society Directory 1973, page 31. Interviews (phone and emails) with daughter Laura Rainey Leshikar, December 2014.

In regard to preservation of the Rainey House, Pierre states, "My recently developed love of Mid-Century Modern design led me to purchase this home. I have noticed that many examples of this style are being lost to development and modernization. Historic designation will help preserve iconic examples, raise their awareness as representatives of a definable period of design, prevent their disappearance, and preserve the heritage of noteworthy local architects of the period. I feel historic homes should be landmarked not only for their inhabitants or history, but also for their iconic styles."

CONCLUSION & JUSTIFICATION

The Rainey House merits historic landmark status as an iconic Mid-Century Modern home as well as for its importance to the City of Austin as the home of prominent pathologist, Dr. J.R. Rainey. The integrity of the home's exterior, as well as its interior, has been beautifully maintained and deserves preservation with status as a Recorded Texas Historic Landmark and as a City of Austin Historical Landmark. The home continues to serve as a residence in a neighborhood where historic homes are increasingly being razed and replaced by much larger homes. Historic designation would help preserve this exemplary Mid Century Modern home and the integrity of the neighborhood's history.

Occupancy Chain for 3941 Balcones Drive

1957	No listing for address
1958	No listing
1959	John R. Rainey Jr. (h) (Betty S.) physician. 8 Medical Arts Square
1963	John R. Rainey Jr. (Betty S.)
1967	John R. Rainey Jr. (Betty S.)
1975	John R. Rainey Jr. (Betty S.) Clinical Pathology Labys. Med. Assn.
1980	John R. Rainey Jr. (Betty S.)
1985	John R. Rainey Jr. (Betty S.), retired
1990	John R. Rainey Jr. (Betty S.), physician 1301 W. 38 th Suite 115
	Linda K. student
1997	John R. Rainey Jr. (Betty S.)
2000	Gossett, Denton D. (Betty S.)
2003	Gossett, Denton D. (Betty S.)

DEED CHAIN

File No. CS20140358

This is to certify that we have searched the records of Travis County in the Office of Heritage Title Company of Austin, Inc. from January 1, 2056 at 8:00 a.m. through October 30, 2014 at 8:00 a.m. as to the following described property, to-wit:

LEGAL DESCRIPTION

TRACT ONE: Lot One (1), Block "F", of SECTION TWO OF BALCONES PARK ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 6, Page 90 of the Plat Records of Travis County, Texas.

TRACT TWO: Being 1,876.44 square feet of land, more or less, out of Lot Two (2), Block "Q", of BALCONES PARK ADDITION, SECTION SIX, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 7, Page 77 of the Plat Records of Travis County, Texas, said tract being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

The following described deeds to the above referenced property are as listed below:

- 1. Warranty Deed dated January (no date given), 1956, filed January 19, 1956, recorded in Volume 1652, Page 171, Deed Records of Travis County, Texas, executed by Wallace H. Scott, Jr., and wife, Dorothy Cecile Scott to Northwest Corporation. (Tract 2)**
 - 2. Warranty Deed dated May 29, 1956, recorded in Volume 1699, Page 527, Deed Records of Travis County, Texas, executed by Northwest Corporation to Wallace Henry Scott, Jr., and wife, Dorothy Cecile Scott. (Tract 2)**
 - 3. Warranty Deed dated August 8, 1956, recorded in Volume 1715, Page 146, Deed Records of Travis County, Texas, executed by Addie Lucas to Austin Corporation. (Tract 1)**
 - 4. Warranty Deed dated May 24, 1957, recorded in Volume 1819, Page 354, Deed Records of Travis County, Texas, executed by Austin Corporation to John R. Rainey, Jr. (Tract 1)**
 - 5. Warranty Deed dated August 12, 1964, recorded in Volume 2826, Page 573, Deed Records of Travis County, Texas, executed by Wallace Henry Scott, Jr., and wife, Dorothy Cecile Scott to John H. Coates and wife, Ann Cox Coates. (Tract 2)**
 - 6. Warranty Deed dated November 9, 1965, recorded in Volume 2886, Page 99, Deed Records**
-

of Travis County, Texas, executed by John Henry Coates and wife, Charlotte Ann Coates to Dr. John R. Rainey, Jr., and wife, Betty Smith Rainey. (Tract 2)

7. Warranty Deed dated April 3, 2008, recorded under Document No. 2008055150, Official Public Records of Travis County, Texas, executed by Betty Smith Rainey to The Terry Alan Eaton 1998 Revocable Trust and The Robert Martin Williams III 1998 Revocable Trust. (Tracts 1 & 2)

8. Warranty Deed dated August 17, 2009, recorded under Document No. 2009140733, Official Public Records of Travis County, Texas, executed by Terry Alan Eaton, individually and as Trustee of The Terry Alan Eaton 1998 Revocable Trust and Robert Martin Williams, III, individually and as Trustee of the Robert Martin Williams, III 1998 Revocable Trust to Charlotte P. Warren. (Tracts 1 & 2)

9. Special Warranty Deed dated September 29, 2009, recorded under Document No. 2009172754, Official Public Records of Travis County, Texas, executed by William Christopher Horabin to Charlotte Ellen Warren. (Tracts 1 & 2)

10. Warranty Deed dated October 30, 2014, recorded under Document No. 2014164169, Official Public Records of Travis County, Texas, executed by Charlotte P. Warren aka Charlotte Ellen Warren to Jon Pierre Filardi and Angela C. Filardi. (Tracts 1 & 2)

This certificate is for the use of and shall inure to the benefit of the City of Austin and is issued in consideration of \$0.00 paid to Heritage Title Company of Austin, Inc., (The Company) by same to whom said sum shall be returned as liquidated damages in the event of any mistake, error and or omissions herein, and by accepting this certificate, same agrees that said sum and no more shall constitute the full measure of damages against the Company. None of the information contained herein, or the absence of other information constitutes a representation to any party as to the status of the title to the subject property. If a title defect and/or encumbrance should exist which is not disclosed herein, the Company shall not be liable by reason of furnishing this certificate or for any verbal statements related thereto. The Company shall not be liable for any title defect unless a title policy is hereafter issued by its insuring against such title defect, and the applicable title policy premium paid. The company's liability shall then exist only under the terms of its policy as prescribed by the Department of Insurance and as measured and limited thereby.

HERITAGE TITLE COMPANY OF AUSTIN, INC.



Rosle Albritton

Customer Service/Examiner

EXHIBIT "A"

FIELD NOTES FOR 1876.44 SQUARE FEET OF LAND, MORE OR LESS, OUT OF LOT TWO (2), BLOCK Q, BALCONES PARK ADDITION, SECTION SIX, A SUBDIVISION OF RECORD IN VOLUME 7, PAGE 77, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AS CONVEYED UNTO TERRY ALLAN EATON BY DEED RECORDED IN DOCUMENT NUMBER 2009113032 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" iron pin found at the southeast corner of said Lot 2, Block Q, the southwest corner of Lot 3 of said Balcones Park Addition Section Six. Said pin being on the north line of Lot 1, Block F of Section Two of Balcones Park Addition, a subdivision of record in Volume 6, Page 90 of the Plat Records of Travis County, Texas and the southeast corner hereof;

THENCE, with the north line of said Lot 1 and the south line hereof, N 61°52'27" W, a distance of 73.34 feet to a 1/2" iron pin found for the southwest corner hereof. Said pin being on the east line of that tract or parcel of land conveyed unto Kyle and Laura Lossen by deed recorded in Document No. 2008122685, Official Public Records, Travis County, Texas.


THENCE, with the common line of said Lot 2 and Lossen tract, N 30°50'01" E, a distance of 25.00 feet to a nail found in a stone wall for the northwest corner hereof. Said nail being the southeast corner of Lot 2, Block B of said Section Two of Balcones Park Addition.

THENCE, crossing said Lot 2, Block Q, S 61°56'04" E, a distance of 76.73 feet to a nail found in concrete for the northeast corner hereof. Said nail being on the west line of Lot 3, Block Q of said Balcones Park Addition, Section Six;

THENCE, with the common line of said Lots 2 and 3, Block Q, S 38°28'29" W, a distance of 25.46 feet to the Point-of-Beginning, containing 1876.44 square feet of land, more or less.

THIS DESCRIPTION SHALL ACCOMPANY A SURVEY SKETCH LABELED POINT-LINE SERVICES, INC. JOB NO. 08270709, GF No. 00091794.

As surveyed by:
POINT-LINE SERVICES, INC.


Rizk H. Ibrahim

7-31-09
Date



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana Debeauvoir

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

October 31 2014 11:15 AM

FEE: \$ 38.00 2014164169



April 20, 2015

Dr. Pierre Filardi
3941 Balcones Drive
Austin, Texas 78731

Re: 3941 Balcones Drive

To Whom it May Concern:

Dr. Pierre Filardi, the owner of the home located at 3941 Balcones Dr., has informed the HPWBANA board members of his intent to pursue historic designation for his home. Our board supports Dr. Filard's efforts, and we are of the general opinion that the designation would be a benefit to our neighborhood and to our city. We agree with Dr. Filardi that the mid-century modern architectural style is unique and should be preserved.

Should you have questions regarding our position, or need further information from our association, please email me at president@hpwbana.org or our preservation committee chair, Donna Edgar, at planning@hpwbana.org.

Sincerely,

A handwritten signature in blue ink that reads 'Carolyn Robinson'. The signature is written in a cursive, flowing style.

Carolyn Robinson, President
HPWBANA

Highland Park West Balcones Area Neighborhood Association



April 22, 2015

City of Austin Historic Landmark Commission
P.O. Box 1088
Austin, TX 78767

Re: The Rainey House, 3941 Balcones, Austin, Texas

Dear Historic Landmark Commissioners,

Mid Tex Mod is submitting this letter in regards to the Austin City Landmark designation of 3941 Balcones Drive. As the Central Texas chapter of Docomomo US, our mission is to raise awareness of the Modern Movement and the value of preservation, documentation, and sustained use of buildings, sites, neighborhoods, landscapes, and other manifestations of Modernism. Mid Tex Mod fully supports the Rainey House being designated as a City of Austin Historic Landmark.

The Rainey House, 3941 Balcones, is a quintessential Mid-Century Modern home designed by architect B.D. "Pat" Riley in 1957 for the family of distinguished pathologist Dr. J.R. Rainey in the Highland Park West/Balcones neighborhood. The house retains a very high degree of architectural integrity, despite having been in danger of demolition before being purchased by its present owners.

The Highland Park West/Balcones neighborhood is bounded by 2222 to the north, Mr. Bonnell Road to the west, West 35th Street to the south, and Mo-Pac to the east. The neighborhood's residents are in proximity to the Bright Leaf Natural Area-a 217-acre nature preserve, Mount Bonnell-where hikers have admired views since Austin's earliest days, Laguna Gloria Museum of Art, mature landscaping and sweeping views of Downtown Austin. The Rainey House is a significant example of Modernism in this historic 1950s neighborhood, now mixed with minimal infill. There were other Mid-Century Modernist architects such as Fehr and Granger, Roland Rosenner, Sr. and Harwell Hamilton Harris that built a number of significant houses in the Highland Park West and Balcones neighborhoods. There are a large number of houses from the 1950s-60s period of significance remaining in this neighborhood. MidTexMod officially encourages a survey be conducted by Austin's Historic Preservation Office and have a historic district or districts identified in this neighborhood, to facilitate the prioritization of Historic Preservation and we also encourage the designation of individual properties in this important Mid-Century neighborhood.

Mid Tex Mod supports the designation under the Historic Zoning Criterion of Architecture, as it was architect designed by a significant Austin architect and the property is potentially Eligible for listing on the National Register of Historic Places and under the Criterion of Historical Associations, as the house was designed for Dr. J.D. Rainey, founder of Clinical Pathology Laboratories (CPL) in Austin. Our organization strongly supports the designation of the important Rainey house and the fact the current owners have a true interest and respect in being stewards for this significant B.D. Riley design.

Thank you for your time on this case and your service on this important commission. If you have any questions, please do not hesitate to contact us at midtexasmod@gmail.com.

Sincerely,

Charles M. Peveto, President
Mid Tex Mod



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 Kate Singleton
Executive Director

April 22, 2015

Chair Laurie Limbacher and Commissioners
 Historic Landmark Commission
 City of Austin
 Post Office Box 1088
 Austin, TX 78767-8865
 Sent via E-mail

Re: The Rainey House 3941 Balcones Drive

Dear Chair Limbacher and Commissioners:

Preservation Austin respectfully requests your support of the historic designation for the Rainey House located at 3941 Balcones Drive. The Rainey House, constructed in 1957, is a quintessential Mid-Century Modern home faced in white stucco and walls of glass, with its original turquoise trim. It was designed by locally prominent architect B.D. "Pat" Riley for the family of distinguished pathologist Dr. J.R. Rainey. The house retains a very high degree of architectural integrity, despite having been in danger of demolition before being purchased by its present owners.

The architect, Pat Riley, designed not only houses but commercial buildings as well. They include: the Texas Restaurant Association Building, Austin, 1958; St. John's Elementary School, Austin, 1958; Wooten Elementary School, Austin and buildings for the Lower Colorado River Authority.

This house also meets all the criteria for designation as outlined in LDC 25-2-352. Additionally, a nomination for a Recorded Texas Historic Landmark will be submitted for the house in the fall.

For 60 years, Preservation Austin has been the leading protector of Austin's diverse cultural heritage through the preservation of historic treasures and places. As such, we believe that preservation of this unique resource celebrates our past, enhances livability and a sense of identity for our city.

Instituting historic status for this home will benefit our City, and we hope you will seize the opportunity to recommend Council approval that this valuable resource be granted historic status. Thank you for your many hours of hard work to preserve what is best about Austin for future generations.

Sincerely,

Shelly Hemingson
 President, Preservation Austin



April 22, 2015

The Hon. Steve Adler, Mayor
City of Austin
301 W. 2nd Street, Second Floor
Austin, TX 78701

RE: Application for Historic Landmark Designation - 3941 Balcones

Honorable Sir and Members of City Council,

It has come to my attention that the house at 3941 Balcones, originally designed by Austin architect Barton D. Riley in 1957, is being considered for a City of Austin Historic Landmark Designation. I am writing in support of that.

This 'mid-century modern' house represents significant and innovative residential and environmental design of its time. It is exemplary for building to the climate of central Texas, with generous overhangs to shade from the sun and an open plan to orient to the prevailing breeze. The low pitch roofline is also a fine example of fitting in with the land and the neighborhood with discretion. 'Green' building aspects such as these have unfortunately been underutilized in the intervening fifty years of residential construction.

As a practicing architect, I have gone through the process of renovating a number of mid-century houses. They are often at great risk of demolition, especially in Austin's current speculative market. They also require significant care, resources, and updating to meet today's standards. A landmark designation helps enable that care. It also helps stabilize ownership in neighborhoods and in this case would preserve an iconic house.

Kind regards,
Rick Black, AIA
