A.2 - 1

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-2017-0119

HLC DATE: PC DATE: December 18, 2017

<u>APPLICANT</u>: Dan Niendorff, owner

HISTORIC NAME: Stolle-Westling-Lewis-Sweatt House

WATERSHED: Boggy Creek

ADDRESS OF PROPOSED ZONING CHANGE: 1209 E. 12th Street

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

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

QUALIFICATIONS FOR LANDMARK DESIGNATION:

Architecture, historical associations, community value.

HISTORIC LANDMARK COMMISSION ACTION:

PLANNING COMMISSION ACTION:

DEPARTMENT COMMENTS: The house is recommended for individual local and National Register designation in the East Austin Historic Resources Survey (2016).

<u>CITY COUNCIL DATE</u>:

ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

ORDINANCE NUMBER:

<u>NEIGHBORHOOD ORGANIZATION</u>: Organization of Central East Austin Neighborhoods (OCEAN)

BASIS FOR RECOMMENDATION:

Architecture:

The Stolle-Westling-Lewis-Sweatt House is a rare surviving example of a two-story L-plan house that was uncommon in Austin even at the time of its construction. The house has two full stories, a double front porch, and a combination of hipped roofs, reflecting a vernacular adaptation of Queen Anne design principles. The main block of the house is boxy, with a double front porch to the east (left) of the main block, offsetting the otherwise square composition. The house has an asymmetrical composition, typical of the Queen Anne style, as well as a steeply pitched roof, conforming to the design ideals of the day. However, this house is a "stripped-down" version of the typical Queen Anne, which was characterized by architectural fussiness and conscious avoidance of a smooth-walled appearance. This house lacks the turrets, fancy trim, cutaway corners, shingles, and other trappings of the Queen Anne house; instead, it reflects a sort of transition from the elaborate Victorian architectural styles to a plainer style, more commonly associated with bungalows and vernacular cottages of the 1920s and 1930s.

One-story wing-and-gable houses were the most prevalent residential architectural designs in Austin at the time this house was built, further evidencing the variation from the norm that this two-story house represents. It retains a high degree of integrity, with the exception of the picture window flanked by a 1:1 window in the front façade, which was most likely a product of renovating the house in the 1950s. The house suffered a great deal of neglect over the last few decades, but the current owner is dedicated to an accurate and responsible restoration of its historic architecture in the years to come. Many of the windows have been replaced with 1:1 windows, and the non-historic front entry hood has been removed and replaced with a more period-appropriate entry. The balusters and rails on the porches have been custom milled to provide an accurate appearance. Sanborn maps show that the house once had a full, double, wraparound porch across the front.

Historical Associations:

The Stolle-Westling-Lewis-Sweatt House relates the entire social history of East Austin, and is especially notable for its prominent role in the civil rights history of Austin, the University of Texas, the State of Texas, and the United States. The house was built in 1888 by contractor George McDonald for local baker and grocer Friedrich Stolle, who arrived in Austin from Germany in 1885. The 1885-86 city directory shows Stolle working for baker Charles Lundberg, whose bakery is now known as the Old Bakery at 1006 Congress Avenue, and is a historic landmark. Stolle boarded with Lundberg, who lived on the site of his bakery.

According to the 1887-1888 city directory, Friedrich Stolle was working for Greenleaf Luce, who had a bakery at the southwest corner of Catalpa (a block south of 12th Street) and Navasota Streets. He boarded with Greenleaf Luce at the northwest corner of Catalpa and Navasota Streets; in 1887, Friedrich Stolle married Greenleaf Luce's daughter, Nellie. The newlyweds purchased land at the southeast corner 12th and Navasota Streets, just to the northeast of Greenleaf Luce's property in 1888. They soon built their home facing 12th Street, and their combination grocery store and bakery on the southeast corner of 12th and Navasota Streets. The 1889-1890 city directory shows Friedrich Stolle as a baker for Greenleaf V. Luce, and he lived at 1103 E. 12th Street (the former address for this house) at the corner of Navasota Street. It appears that Friedrich operated the bakery side of the business, and Nellie operated the grocery site. Newspaper ads from the late 1880s and early 1890s show Mrs. F. Stolle as the purveyor of name-brand cooking oils in her grocery store. The 1895-96 city directory lists Stolle as a grocer, indicating the diversity of their business.

The Stolle family represents an important demographic trend in the late 19th century, particularly in East Austin, where "mom-and-pop" groceries were commonplace. Many German and Swedish immigrants opened bakeries in the late 19th century; this was especially true in Austin with its sizable German and Swedish immigrant populations. Many of these families also felt a great sense of community with their neighbors, and were known for their generosity and charitable work. The Stolle family reportedly donated bread to local children's homes as well as baked goods and other supplies to Samuel Huston College, which was just down the street on Robertson Hill at the time.

The 1900 Sanborn Fire Insurance Company map is the first to show this neighborhood. The Stolle family home and store are depicted at the southeast corner of 12^{th} and Navasota Streets. The map also gives a better idea as to what the house originally looked like. The map shows it to be 2 stories, but with a greater wraparound porch across the front that no longer exists. The current owner relates that the front porch was removed around 1970 and replaced with an entry hood over the front door.

The Stolles sold the house in 1914 and moved to Detroit, Michigan, where they spent the rest of their days. The 1916 Detroit city directory shows that Friedrich Stolle was a baker in Detroit, a trade he continued into the early 1920s. The 1920 U.S. Census confirms Friedrich and Nellie Stolle's residence in Detroit, as well as their son, Karl, who worked as a test engineer for a manufacturing plant.

Friedrich Stolle died in Detroit in 1928, and is buried there. His Michigan death certificate shows that he was born in 1859 in Badenwerder, Germany, and was a baker. Nellie Luce Stolle died in Detroit in 1942. She was born in 1856 in Syracuse, New York.

Oscar and Augusta Westling bought the house from the Stolle family in 1914. Both Oscar and Augusta were born in Sweden and settled in the community of New Sweden in northeastern Travis County. Oscar Westling moved into Austin in 1905. After purchasing the house and businesses of the Stolles, the Westlings continued to run the businesses until the mid-1920s. The 1916 Austin city directory shows the Westlings at this address with Oscar's business as a grocer at the corner of 12th and Navasota Streets. The 1920 U.S. Census shows Oscar and Augusta Westling as the owners of this house. Oscar Westling was a 56-year old Swedish-born grocery merchant. Augusta Westling was 52 and had no occupation listed. She was also born in Sweden. The Westlings lived in this house and operated their grocery business from the corner at least through 1923.

The 1924 city directory shows the old Stolle business building was now the residence of Martin Westling, who ran a grocery at 1116 E. 12th Street in the block between Navasota and San Bernard Streets, in the same building as Ira L. Stacy had a meat market. Oscar Westling is listed as a clerk for Martin Westling, and lived at 1105 E. 12th Street, which would have been one house to the east of the Stolle house, with its address of 1103 E. 12th Street; this house was now owned and occupied by Thomas P. Harvill and his wife, Frances. Thomas P. Harvill was a carpenter. Frances Harvill was the daughter of Oscar and Augusta Westling.

Around 1926, Oscar and Augusta Westling moved to 104 W. 17th Street. The 1930 U.S. Census shows Oscar C. Westling as a grocery merchant at the 17th Street address; their son Ed, who grew up to run the Checker Front grocery chain in Austin for many years, was the manager of a Piggly Wiggly grocery store.

The 1932-33 city directory shows Martin A. Westling as the owner of the house on the site of the old Stolle bakery and grocery. 1103 E. 12th Street, the address for this house, shows Thomas P. Harvill as the owner and occupant. Harvill was a carpenter. Frances Harvill is shown as the owner of this house in the 1940 city directory. Listed with her was Helen F. Harvill, a stenographer for Checker Front Stores, owned by her uncle, Ed Westling, the son of Oscar and Augusta Westling. By the time of the publication of the 1942 city directory, Frances Harvill had moved to 706½ E. 20th Street. She had no occupation listed, but Helen F. Harvill was a clerk for the WPA. This address is not listed in the 1942 city directory, and the next owner, Mary Ella Brown Lewis, does not appear in the alphabetical listings.

Mary Ella Brown Lewis purchased this house in 1945. She was from Columbus, Texas, and graduated from Samuel Huston College. She is first listed in Austin city directories in 1944-45, when she was a music teacher in this house. The 1947 directory shows her as a public school teacher; directories of the mid-1950s show her as a music teacher, and by 1960, as a piano teacher, at this address. She also served as the choir director of the Metropolitan AME Church in the 1950s; a 1958 article in the Austin American references her as the director of the 25-voic senior choir and a music teacher in Austin for the past 15 years (since 1943).

In what may be considered her most significant contribution to race relations and the civil rights movement in the United States, Mary Ella Lewis took in boarders at this large house, including Heman Sweatt, who fought a bitter battle to be admitted to the law school of the University of Texas in the late 1940s. The case derived from the fact that under the "separate but equal" doctrine established by Plessy v. Ferguson in 1896, African-American citizens had the right to equal accommodations, even if segregated by race from those restricted to whites. Because the State of Texas had a law school at the all-white University of Texas, Sweatt applied for admission, knowing that the university could not accommodate him. Through trials at the Travis County Court House, and later, state and federal appeals courts, Sweatt persevered, blazing the trail for the later decision of Brown v. Board of Education, which ended segregation in public schools. Sweatt's case was finally taken up by the U.S. Supreme Court, and argued by Thurgood Marshall, who later became a Supreme Court justice. The court, in 1950, ruled that Sweatt had a right to be admitted to the University of Texas Law School because the state did not provide a "separate but equal" law school for its African-American citizens. So bitter was the battle, that Sweatt was repeatedly threatened with his life, offered money to drop his case, and offered out-of-state scholarships to study law. He never backed down, and with another African-American law student, George Washington, Jr., he came to Austin in the fall of 1950 to enter law school. He boarded at Mrs. Lewis' house on E. 12th Street with his wife for the year that he was able to retain his strength in the battle against discrimination and segregation. However, the toll on his body, mind, and spirit grew too heavy to bear. Even before his wife returned to Houston and divorced him, he suffered from such physical ailments that he could not keep up with his studies and did not complete his degree. However, the significance of his actions is unquestionable, and after a short period of convalescence, he moved to Atlanta, Georgia, where he continued his fight against racism. No other house in Austin can tell this important story, which forms the basis for a determination that the house meets the criterion for community value.

PARCEL NO.: 0207080307

LEGAL DESCRIPTION: E 85 FT OF LOT 4 BLK 7 OLT 56 DIV B ROBERTSON GEO L SUBD

ESTIMATED ANNUAL TAX ABATEMENT: \$6,818 (owner-occupied); city portion: \$2,034 (cap does not apply).

APPRAISED VALUE: \$578,261

PRESENT USE: Homestead

CONDITION: Good

PRESENT OWNERS:

Dan E. Niendorff and Maria E. Johnston 1209 E. 12th Street Austin, Texas 78702

DATE BUILT: ca. 1888

<u>ALTERATIONS/ADDITIONS</u>: The house has suffered neglect that resulted in the loss of many architectural elements, including the front portion of the porch and the replacement of several windows. The current owners have started a restoration and rehabilitation program to bring the house back to its historic appearance.

ORIGINAL OWNER(S): Friedrich and Nellie Stolle (1888)

OTHER HISTORICAL DESIGNATIONS: None.



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City of Austin - Historic Preservation Office Historic Zoning Application Packet

F. 1: Historical Documentation - Deed Chronology

Deed Research for (fill in address) 1209 E. 12th, Austin, Texas, 78702

List Deeds chronologically, beginning with earliest transaction first and proceeding through present ow The first transaction listed should date at least back to when the original builder of any historic structur the site first acquired the property (i.e., should pre-date the construction of any buildings/structures on site). Please use the format delineated below.

For each transaction please include: name of Grantor/Grantee, date of transaction, legal description in price, and volume/page number of deed records. If there is a mechanic's lien please copy the entire document.

Transaction

June 16,1945 \$2800

July 24, 1996 \$40,000

Henry B. Millard to Frederich Stolle, Lot 4, Block 7, Outlot 56 in Division B June 28, 1888 \$2000

Frederich and wife Nellie Stolle to C. Oscar Westling, Lot 4, Block 7, Outlot 56 in Division B July 23, 1914 \$6200

Easterly 85 ft., Lot 4, Block 7, Outlot 56 in Division B

C. Oscar Westling and Augusta Westling to Mary Ella Brown Lewis,

Mary Ella Brown Lewis to Dan Niendorff and Maria E. Niendorff, East 85 ft., Lot 4, Block 7, of George L. Robertson Subdivision Vol./Page

Vol. 79, pp 507-508

Vol. 267, pp 427-428

Vol. 719, pp 210-211

Vol. 12746, pp 02072

City of Austin - Historic Preservation Office Historic Zoning Application Packet

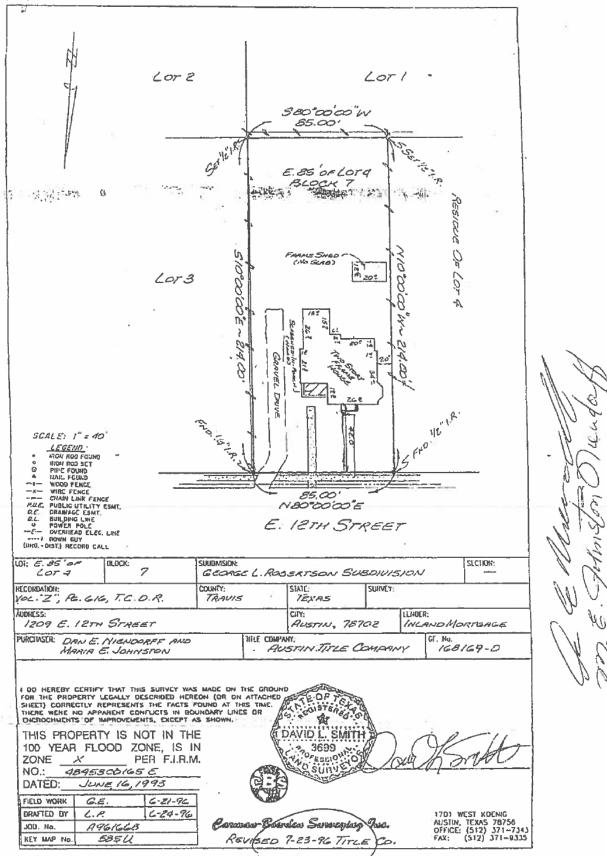
F. 2: Historical Documentation - Occupancy History

Occupancy Research for 1209 E. 12th, Austin, Texas, 78702

Using City Directories available at the Austin History Center or other information available, please provide a chronology of all occupants of the property from its construction to the present. For commercial property, please provide residential information on business owner as well.

Year	Occupant Name and Reference	Source
1898-1914	Stolle, Frederich and Nellie, son Karl, Grocer, baker, businessman Stolle Bakery and Grocery at 1101 E. 12th, Residence 1103 E. 12th (later changed to 1201 and 1209)	City Directories, Sanborn Maps
1914-1940	Westling, C. Oscar and Augusta, Grocer, baker, businessman Bakery and Grocery at 1101 E. 12th, Residence 1103 E. 12th, Children-Martin, Eddie, Irene, Everett, Frances, and Olga.	City Directories, "Austin American"
1940-41	Wilkes, Leon and Lula-mattress finisher Ayres, C. Wallace and Ruth- mattress finisher Barr, George and Areta Fisher, Elizabeth- seamstress Yocum, Leonard and Ruth -driver	City Directories
1942-43	(Same as above) Barr, George and Areta move to Garden Street Add- Bailey, Ida- widow Waldrop, Arthur and Mary	City Directories
1944-49	Lewis, Mary Ella Brown- widow Lewis, Chas. W. Music Teacher	City Directories, "Austin Statesman"
1950-51	Lewis, Mary Ella- Music Teacher Sweatt, Heman Marion	City Directories, "Before Brown: Heman Marion Sweatt, Thurgood Marshall, and the Long Road to Justice".
1952-1977	Lewis, Mary Ella- Music Teacher	City Directories
1978-1979	Vacant	City Directories
1980-1983	Campbell, Kenneth and JoAnn- employee general land office	City Directories
1984-1996	Vacant	City Directories
1996-2017	Niendorff, Dan and Mindy- Art Teacher High School, Art and Art History University of Texas	Current owners





A.2 - 10

Stolle-Sweatt House

1209 E. 12th, Austin Tx. 78702 Application for Historic Zoning August 9, 2017

History

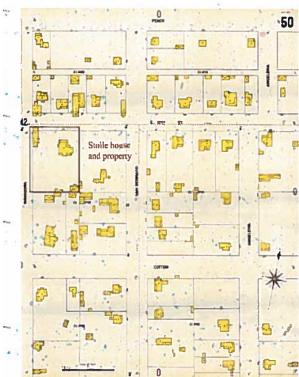
The Stolle-Sweatt House was built in 1898 in a Victorian style by the Frederich Stolle family. George McDonald was the contractor.

Frederich Stolle emigrated from Germany to Austin in 1885. He worked as a baker for Charles Lundberg at the New Orleans bakery, 1006

Congress Ave., from 1885-86. In 1887 he worked for his soon to be father-in-law, Greanleaf Velorous Luce, a tea and coffee merchant on Navasota Street. He married Nellie Luce in 1887. Their son, Karl Stolle, was born in 1888. The Stolle family purchased the property where the house now resides in 1888. They lived at the site of the house until construction was completed in 1898. The Stolle Bakery was on the Southeast corner of Navasota and E. 12th street adjacent to the residence. The Stolle family made substantial contributions to the



- community; hosting weddings, receptions and community gatherings. An unfortunate example of one of these receptions was a
- reception held for public education pioneer Jacob Bickler. Professor Bickler was giving a toast at a reception being held in his honor at the Stolle house when he suffered a heart attack. He remained under doctors care at the Stolle house for four days before passing away. The Stolle family made many contributions to the community through their bakery. Donating bread to the children's home and supplying local institutions like Sam Huston college with goods. The Stolle family sold the house in 1914 to C. Oscar Westling. The Stolle family moved to Detroit Michigan where Frederich died in 1918.



Original locned at the Dolph Briscoe Center for American History, University of Texas at Austin 1900 Sanborn insurance map C. Oscar and Augusta Westling purchased the property from the Stolle family in 1918. Both Oscar and Augusta were of Swedish decent. Oscar had moved from New Sweden, Texas to Austin in 1905. They continued to run the grocery store and bakery on the corner of E. 12th and Navasota until the 1930's. They had seven children; Eric, Eddie, Martin, Frances, Irene, Olga and Lucille. In 2007 through first hand communication with grandson, Eddie Westling of Austin, Eddie spoke of fond memories of his grandparents and the house. He was unable to find an early photograph of the house but, sent me a photograph of the house dated approximately 1983. Oscar and Augusta's son Eddie became an influential grocer in the Austin community. Through his membership in the Austin Independent Retail Grocer Association and as president and manager of the Checker Front chain in the 1950's he was at the forefront of future success of independent grocers in the Austin area. Oscar Westling died 1944. His wife sold the house to Mary Ella Brown Lewis in 1944.

Mrs. Mary Ella Lewis used the house as her primary residence and took in boarders from 1944-1970. She was a music teacher and gave piano lessons at the house. She graduated from Sam Huston College in 1914 with a Bachelors of Art in Music. Through many firsthand accounts from neighbors in the community she was a disciplined plano teacher. Ms. Eva Lindsay, "I have fond memories

1209 E. 12th, Austin Tx. 78702 Application for Historic Zoning

August 9, 2017

of sitting on the stairs waiting to enter the grand front room to begin my lessons". Mrs. Betty McMurray at 1198 San Bernard speaks of her and her sister taking lessons. She stated, "my sister was a natural and had an ear for music, me not so much." She related a story about a conversation between Mrs. Lewis and her mother she overheard where Mrs. Lewis stated to her mother that she couldn't take any more money for Betty's lessons and be honest. Pearl Cox, who also grew up in the neighborhood, had fond memories of taking piano lessons from Mrs. Lewis. Mrs. Lewis was an active member of the Metropolitan AME Church as choir director. She accompanied many recitals and musical events in the community. In 1974 she was honored for excellence in music teaching by the East Austin Cultural Foundation.

Mrs. Lewis also rented out rooms at her home. One of the most significant boarders was Mr. Heman Marion Sweatt. Heman Sweatt lived with Mrs. Lewis while attending the Law School at the University of Texas from 1950 to 1952. Views of the Capitol and the University of Texas tower are prominent from the upstairs bedrooms of the house, two edifices that symbolized the institutions of the state and their financial resources that had opposed his long four year struggle to achieve an equal educational opportunity to attend the law school that ended with the Supreme Court judgement of Sweatt vs. Painter in his favor. During the Sweatt family panel discussion at the University of Texas in 2011, his daughter Mellie, remembered a story about his life in Austin at the house and how someone had attempted to burn the house down. Mrs. Lewis was a widow and one can only imagine the bravery and character she possessed to take on a boarder that might bring harm to her and her family. Mr. Sweatt did not finish his degree at the University of Texas due partly to chronic illness but, his intellect; character and bravery cannot be questioned.



Mary Ella Lewis lived in the house until 1976. She died June 23, 1976.

The house was vacant 1977-1979.

1980-1983 Kenneth and JoAnn Campbell lived in the house.



House circa 1983

1209 E. 12th, Austin Tx. 78702 Application for Historic Zoning August 9, 2017



The house remained vacant from 1984 to 1996 when it was purchased by Dan and Mindy Niendorff from the heirs of Mary Ella Lewis. It was in great disrepa and had been boarded up by the city with an order for demolition pending review.



Current Photo of the house.

1209 E. 12th, Austin Tx. 78702 Application for Historic Zoning August 9, 2017

Specific Landmark criteria the property meets:

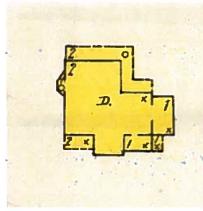
- The property is at least 50 years old and represents a period of significance of at least 50 years ago.
- The property demonstrates significance in these catagories
 - Historical Associations. The property has long-standing significant associations with persons, groups, institutions, businesses, or events of historic importance which contributed significantly to the history of the city, state, or nation; or represents a significant portrayal of the cultural practices or the way of life of a definable group of people in a historic time.
 - The Stolle Family and the Westling Family were examples of independent grocers in the community that created an environment that allowed future business's like Whole Foods Market and other grocers in central Texas to thrive and become what they are today.
 - Mary Ella Lewis, an African-American women in the 1930's, 40's and 50's, in a segregated city
 and country making a contribution to creating better opportunities for her community through
 supporting the housing of Heman Sweatt. Her contribution to teaching the love of music and
 performance cannot be over looked. She was instrumental in developing a community that greatly
 contributed to the "Music Capitol of the World" that is touted today.
 - Mr. Heman Marion Sweatt represents a profound significance to the history of the city, state and nation. His determination, bravery and intellect contributed greatly to create new opportunities for African Americans in this nation. The constitutional case of Sweatt vs. Painter was instrumental in bringing down segregation and promoting the civil rights movement that was to follow.
 - The 2016 East Austin Historical Survey cites the property as recommended for individual eligibility as a local landmark and for being on the National Registration of Historic Places.

1209 E. 12th, Austin Tx. 78702 Application for Historic Zoning August 9, 2017

Structural history

Constructed circa 1898. Evidenced by: signature and date of George McDonald (local contractor active at this time) on the chimney in the attic of the house, artifacts of chewing tobacco pouches found at the site inside stairway, Sanborn insurance map 1900 appearance of house on map.



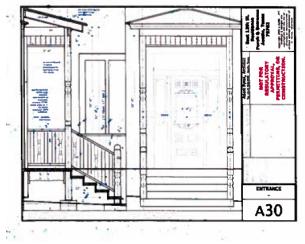


Sanborn insurance maps indicate that the structure had components typical of Victorian construction. Porches stretched across the front of the house upstairs and downstairs. Evidence from siding and porch repair indicated that some of the ornamentation that was present at the time of construction is now missing. Turned posts and spandrels would have been present along with possible other ornamentation. The front door is only half present. From recessed hinge connections and the width and design of existing door it is evident that the entry was at one time a double door. Porches also span across the back of the house upstairs and downstairs. There was also a one story carriage porch on the east side of the house. The bathroom tower that appears on early maps and is now present also is evidenced to be an addition to the original house. It has different style windows and wall construction. There is also a room that was added on to the east rear of the house before the bathroom tower. Evidenced by roof construction and wall and window styles.

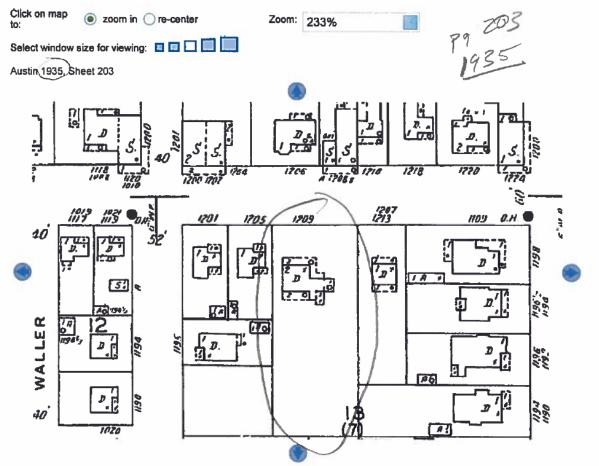
Sanborn map 1900

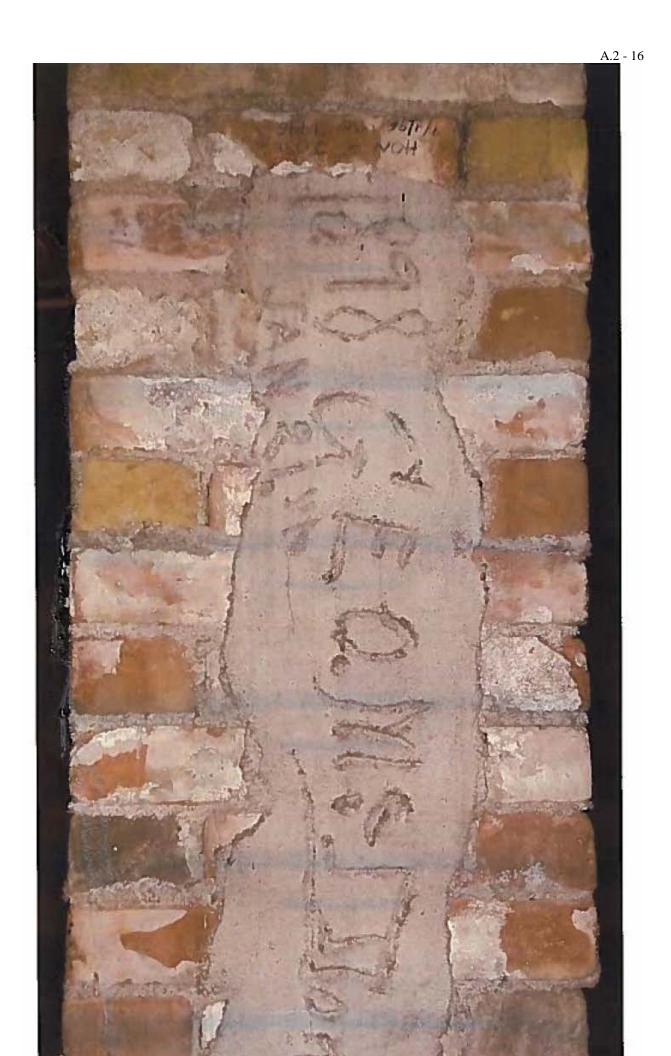
I have been unable to find construction and remodeling details as of this date after extensive search through property deeds. A July 18th, 1943 article in the Austin American indicates that Mary Ella Lewis made general repairs to the property costing \$1,230. That was a large sum of money to spend at that time and I can only speculate that it may have been to take off part of the existing porches and replace windows on the north side of the house with a large Chicago style window.

When I purchased the house in 1996 it needed extensive work inside and out. All systems were updated; electrical, plumbing and mechanical. Many windows were broken and irreparable. Many doors, walls and moldings had been vandalized or stolen. Where components were missing or irreparable attempt was made to restore with period material or replace with period replicas or reproductions. Valdez remodeling was the general contractor. \$50,000 was spent on the remodel.



In 2010 I had the portico over the front entry door replaced with construction more appropriate with a Victorian style house. Adam Pyrek was the architect that designed the replacement. Robert Faulk was the carpenter and David Dick did the millwork and woodturning.





A.2 - 17

D WIENDORFF 15 FEB CZ Ilis a dater picture of my Groudponent lesues agon 1983. Un alle couser sent it to me Hope the helps Dood Luch. Gro marty EDOIE WESTINS

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Celebrate Golden Anniversary The Austin American (1914-1973); May 26, 1940;

ProQuest Historical Newspapers: The Austin American Statesman

pg. A5



from 3 to 6 p. m. at the home of Eddie Westling, 1403 Westover. The children are Eddie Westling, Martin Westling, Mrs. E. R. Brown of Corpus Christi, Mrs. Everett Carlson and Mrs. Frances Harvill of Austin, and Mrs. W. M. Basford of Brownsville.

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