

# THOMPSON & KNIGHT LLP

## MEMORANDUM

**TO:** Chair and Commissioners,  
Historic Landmark Commission

**FROM:** James E. Cousar,  
Attorney for Radkey Limited Partnership, LLP, and  
Ingrid Radkey, Trustee, its general partner  
(collectively, “Ms. Radkey”)

**DATE:** November 10, 2020

**SUBJECT:** Nov. 16 Demo Permit Hearing, 1208 W. 22nd St: Permit No. 2020-140906 PR

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I am submitting this statement in support of granting a demolition permit for Ms. Radkey’s rental house at 1208 W. 22nd St. (“1208”). I am acting as the attorney for Ms. Radkey. With this statement, we are submitting the following Attachments:

- **Attachment A:** Letter to HLC from Ms. Radkey, owner of the property, including background information;
- **Exhibit 1 to Attachment A:** House Layout Diagram;
- **Attachment B:** Letter from Architect Barnaby Evans, including his expert opinion that the structure and property do not merit historic landmark status;
- **Exhibits 1, 2 and 3 to Attachment B:** are Mr. Evans’ CV and a cost estimate and sketch from a foundation company to replace the foundation at 1208;
- **Attachment C:** is a Cost Estimate from McBride Contractor itemizing an initial estimate of \$229,688 to restore the existing structure, exclusive of new foundation cost; and
- **Attachment D:** is an assessment of the structural condition of the property, which concludes that the rear “add on” is beyond repair and that the foundation must be replaced.

This property has been in Ms. Radkey’s family since the 1930’s. In **Attachment A**, She explains its background more accurately and comprehensively than I can, but the most significant facts are:

- that it was her own family home for a period of time starting in the 1930’s;

- that the original 1920's two bedroom/one bath house was expanded with a rear "add-on" in the 1940's;
- that it has been a rental property since the mid-1950's;
- that the most recent long-term tenant caused significant neglect and damage.

Ms. Radkey describes the house as having been "cozy" when she was a child, but it is her informed opinion as the owner that nothing about the history of the property, its design, or architecture merits historic designation. She points out that her father, a distinguished Professor of Russian History at the University of Texas, lived at 1208 when she was a child, but that the late Professor Radkey then moved to a larger house across the street, where he lived for about half a century. Professor Radkey's long-term residence actually is architecturally notable. After his estate sold it to Tim and Karrie League, it was beautifully restored and received historic landmark classification.

I particularly direct the Commission's attention to Ms. Radkey's unduly modest description of her role in preserving another family property in the same neighborhood - the so-called "Hunting Lodge." That structure sits on a bluff over the Shoal Creek valley at the dead end of W. 22nd Street. It is two doors away from 1208 W. 22<sup>nd</sup> St. In the 1990's, the Hunting Lodge was seriously deteriorated, a safety hazard, and probably could have been demolished. Instead, Ms. Radkey and architect Barnaby Evans caused it to be remodeled and restored at a very substantial cost. Mr. Sadowsky, who was already working as the City's historic preservation officer at that time, can provide additional information about its preservation and restoration. Preserving the Hunting Lodge is relevant to this HLC hearing because it confirms Ms. Radkey's record as a steward of architecturally significant structures in the neighborhood.

As the custodian of Austin's historic landmarks, this Commission's primary responsibility is to apply the criteria of Section 25-2-352 of the Code of the City of Austin. We therefore asked architect Barnaby Evans, who worked on the preservation of the Hunting Lodge, to address those criteria. His professional qualifications include 35 years of residential design and remodeling experience in Austin. His opinions are detailed in **Attachment B**, in which he finds none of the Section 25-2-352 criteria to be met, other than the fact that the property is more than 50 years old.

We recognize that this Commission includes architects as well as individuals whose commitment to historic preservation is not based on a degree or license. As a land use and zoning attorney, I generally rely on expert opinions. However, after 41 years of practice in Austin, including a term on the Planning Commission and personal experience restoring a 1914 Castle Hill house and a 1920's West Austin bungalow, I believe I can state an informed opinion as to whether a nondescript and deteriorated West Campus bungalow meets the Code criteria for landmark status. So can any member of this Commission. This structure simply does not meet those criteria.

Compared to the hundreds of 1920's era Austin bungalows one can find within a few miles of W. 22<sup>nd</sup> Street, I find nothing whatsoever unique or outstanding about this property. For your consideration, I am enclosing photos taken with a cell phone camera on site on November 4, 2020:

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Photos of 1208 West 22nd St.

Room names and locations are shown in  
House Layout Diagram (Exhibit 1 to Attachment A)

View from Street	Pages 5-6
Addition from East, North and West	Pages 8-9
West Side of House and HVAC	Page 11
Rear Addition Porch	Page 13
Rear Addition, Bathroom, and Bedroom	Pages 15-16
Bedroom 2	Pages 18-19
Kitchen	Page 21
Living Room	Page 23
Bathroom 1 and adjacent Hallway	Pages 25-26
Front Door (in Living Room), Looking Out	Page 28
South Side (Front) and East Side Exterior	Page 30
Deterioration of Interior	Pages 32-33
Deterioration of Exterior	Page 35

## **View from Street**



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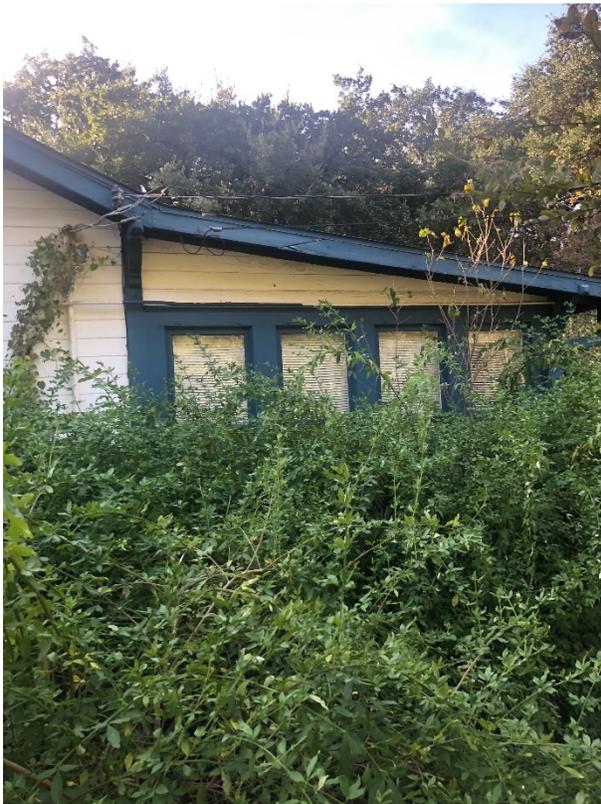


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**Addition from East, North and West:**

East side



North side



North side



West side

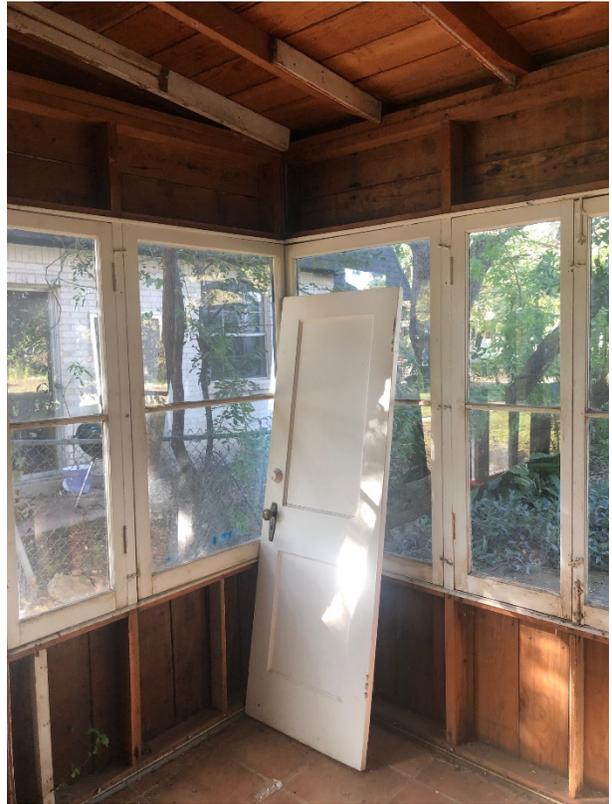


Northwest corner

## **West Side of House and HVAC:**



## **Rear Addition Porch:**



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## **Rear Addition, Bathroom, and Bedroom:**

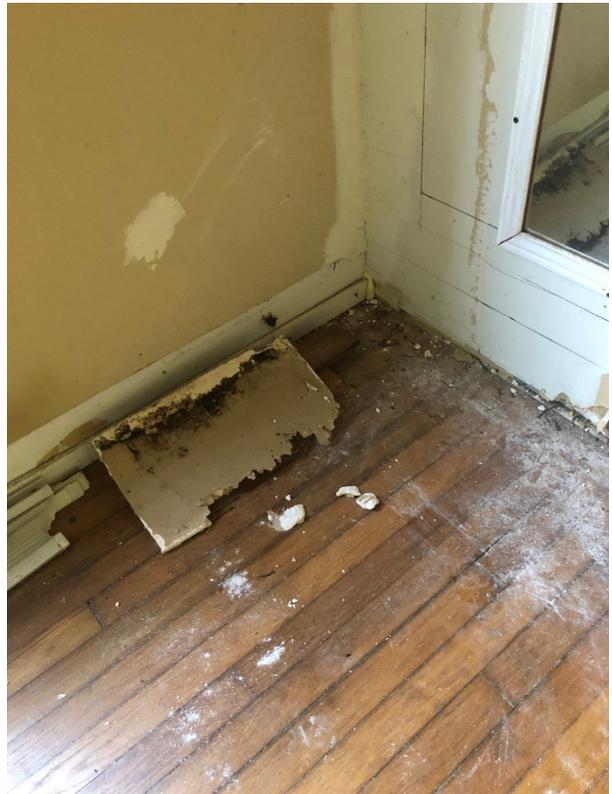
Passage through Bathroom 2 to Bedroom 3



From Bedroom 3 to Porch (in Addition)



## **Bedroom 2:**





**Kitchen:**



## **Living Room:**

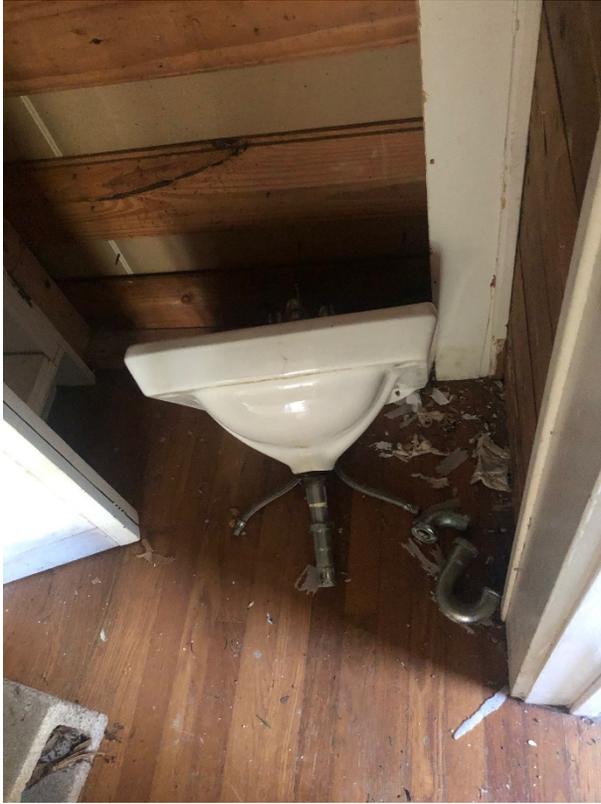


From Bedroom 1, through Living Room, to Dining Room

## **Bathroom 1 and Adjacent Hallway:**

Sink was formerly to left of toilet





Bathroom 1 sink now in Hallway

**Front Door (in Living Room),  
Looking Out:**



**South Side (Front) and  
East Side Exterior:**

East Side of Front (south side of house), taken from Porch



Walkway from street to house. Front porch (to left of windows) is obscured by foliage.



Although the porch (and the two-column façade on the porch) are obscured by foliage in the above photo, these features are clearly shown in the 2014 photo on page 2 of Attachment B (letter of Architect Barnaby Evans)



East side of house (Bedroom 1 at left, Bathroom 1 center, Bedroom 2 at right)

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## **Deterioration of Interior:**





## **Deterioration of Exterior:**



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Based on Ms. Radkey's own opinion and background information, Architect Barnaby Evans' thorough and thoughtful evaluation of the Code criteria, and my own amateur photographs, we see no reason that the property would be eligible for historic landmark status.

Please note that the cost of restoring this property, based on the initial estimate of McBride Contractors, would be \$230,000, plus \$9,200 for a new foundation. As noted by the structural report, **Attachment D**, the 1940's rear addition to the house cannot be salvaged, nor can the current foundation. Even if the restoration stayed within these estimates, which is never a sure thing, the result of spending \$239,000 would be a smaller house (two bedrooms, one bath). It would still be architecturally unremarkable. If the current house is demolished, the property would support a tasteful structure consistent with the character of the neighborhood. Ms. Radkey's record of respect for the neighborhood's character and best interests should be persuasive on this account.

The only reasonable decision, which would be fully consistent with the requirements of the Historic Landmark Ordinance and this Commission's precedents, is to release the demolition permit and NOT to recommend historic zoning.

On a final note, Ms. Radkey is committed to preserving the existing trees on the property, and she has no objection if Mr. Sadowsky recommends that a documentation package be included in the Commission's recommendation.

Thank you for your consideration of these comments.

*/s/ James E. Cousar*

James E. Cousar

Thompson & Knight LLP