



Annual Internal Review

This report covers the time period of 7/1/2019 to 6/30/2020

Historic Landmark Commission

The Board/Commission mission statement (per the City Code) **is:**

Pursuant to Section 2-1-147(B) of the Code of the City of Austin, the Historic Landmark Commission:

1. Shall prepare and periodically revise an inventory of the structures and areas that may be eligible for designation as historic landmarks.
2. Shall prepare, review, and propose amendments to the Historic Landmark Preservation Plan.
3. Shall review requests to establish or remove a historic designation and make recommendations on the requests to the Land Use Commission, as determined in accordance with Section 25-1-46 of the Code of the City of Austin.
4. Shall provide information and counseling to owners of structures that are designated as historic structures.
5. May initiate zoning or rezoning of property to establish or remove a historic designation.
6. May recommend amendments to the Code of the City of Austin relating to historic preservation.
7. May recommend that the City acquire property if the Commission finds that acquisition by the City is the only means by which to preserve the property.
8. May advise the Council on matters relating to historic preservation.
9. For an object that is not permanently affixed to land, may recommend that Council confer special historic designation, and
10. Shall perform other duties as prescribed by the Code of the City of Austin or other ordinance.

1. Describe the board’s actions supporting their mission during the previous calendar year. Address all elements of the board’s mission statement as provided in the relevant sections of the City Code.

1. The Commission references several surveys in their evaluation of historical significance for properties subject to applications for demolition and relocation permits city-wide, and building permits within National Register and locally-designated historic districts. The surveys used by the Commission include the East Austin Survey (1980), the Comprehensive Cultural Resources Survey (1984), the Clarksville Survey (2000), the 11th and 12th Street East Austin Survey (2001), the Chestnut Neighborhood Survey (2001), and the multi-volume East Austin Historic Resources Survey, completed in 2016, among others. Survey efforts are continuing in several areas of the city with the availability of HOT funding for these projects, including a survey of the northeast Austin neighborhoods of Cherrywood, Wilshire Wood, and Delwood, as well as north-central Austin neighborhoods such as North Hyde Park, North Loop, and Hancock. These surveys will be completed in the next fiscal year. Other sources of information for the Commission include lists of contributing (and non-contributing) properties within the City’s National Register Historic Districts and locally-designated historic districts.

A huge ongoing project of the Commission is the development of city-wide design standards for contributing properties in historic districts (both National Register and locally-designated) as well as historic landmarks. Commissioners are part of a working group that also includes city staff and citizens, to research best practices in historic districts throughout the state and nation, and develop a comprehensive set of design standards that will be used for any future historic districts, as well as historic landmarks. Past practice was to place the responsibility of developing design standards for a potential historic district on the nominating team, in the belief that the property owners of each potential district should participate in the development of the design standards that would apply to their property. However, given community and stakeholder feedback, the development of design standards has proven to be an unfair burden on historic district nominating team members. In their review of existing design standards for the city’s locally designated historic districts, the working group found a number of commonalities that appeared in most, if not all, of the design standards. The working group then researched best practices from other successful historic district programs, and developed a set of standards to be applied city-wide for future districts. Historic district nominating teams may add addenda to address certain items specific to their historic district, but will no longer have the responsibility for crafting the full set of design standards for the district. The Commission’s work in developing a universal set of standards is an important step in preservation planning on a city-wide basis.

2. The City’s Preservation Plan dates from 1981, and is part of the City’s Imagine Austin plan, which addressed historic preservation issues into the comprehensive plan for the city. City staff and the Commission were active in the CodeNext and later processes for revising the City’s Land Development Code, and the Commission will participate in the review and development of proposed Code changes relating to historic preservation. The Commission recommends the development of a new Historic Preservation Plan for the city.

3. Each month, the Commission reviews applications for historic zoning as part of its regular business at public meetings. In 2019-20, the Commission reviewed twelve (12) applications regarding historic zoning, including two (2) applications to remove historic zoning from a property. Six (6) of those application were brought to the Commission by the property owner, including one (1) that had originally stemmed from an application for

a demolition permit, but was converted to a voluntary application for historic zoning instead. The house that had owner “conversion” is in East Austin – the Herrera House, known for its associations with several generations of Hispanic educators in East Austin. Of the two applications to remove historic zoning, one (1705 Nueces Street) was to correct a zoning map error, and the other, for the Majors-Thomas-Butler House on E. 11th Street, was recommended for denial by the Commission. The Commission recommended all of the voluntary applications for historic zoning. The remainder of the cases were initiated by the Commission in response to a demolition permit application. None were eventually recommended for historic landmark designation.

Notable historic zoning achievements by the Commission during this fiscal year include the recommendation of two houses significant in African-American history as historic landmarks: the Richard Overton House on Hamilton Avenue, home to the oldest surviving serviceman from World War II and a fixture in the neighborhood where he had lived since building his home there in 1948; and the home owned by Lavada Durst, more commonly and colloquially known as “Dr. Hepcat,” the first African-American emcee for major city events, whose influence in the city as a radio sportscaster made incalculable progress towards racial harmony in the city. He introduced white audiences to African-American music and culture, bringing singing groups and orchestras from his Rosewood Recreation Center to Zilker Park and other venues that were segregated at the time. Initially slated for demolition, the Lavada Durst home on E. 4th Street was donated to a woman rendered homeless by a fire, and moved to the land she owned on E. 22nd Street, where it was restored and rehabilitated.



Richard Overton outside his home on Hamilton Avenue in College Heights, northeast of the campus of Huston-Tillotson University. Overton was the oldest surviving World War II veteran as well as the oldest man in the United States at the time of his death at the age of 112, and an institution in the neighborhood.



The home of Lavada Durst (Dr. Hepcat) was faced with the prospect of demolition at its original site on E. 4th Street. Recognition of the importance of this house for its associations with Durst, who bridged Austin's white and African-American cultures through music and sports, resulted in the relocation, renovation, and rehabilitation of the house at a new site in East Austin.

4. The Commission's Certificate of Appropriateness Review Committee is made up of 3 Commission members, representing a wide range of knowledge in terms of architecture and architectural history. The Committee meets monthly (two weeks prior to the full Commission meeting), and provides a preliminary review of applications for Certificates of Appropriateness for designated historic landmarks and for properties within locally-designated historic districts. The Committee will also review applications for building permits in National Register Historic Districts upon request. The Committee reviews an average of nine (9) applications each month in an informal setting where the applicant presents the proposal to the Committee members, who then work closely with the applicant to ensure a successful proposal at the full Commission. The Committee has been extremely helpful and effective in guiding applicants towards approval of their applications for a Certificate of Appropriateness in accordance with the Secretary of the Interior's Standards for Historic Preservation as well as the design standards established for locally-designated historic districts.

5. As part of its regular monthly public meetings, the Commission reviews applications for the demolition or relocation of potentially historic properties, and may initiate a historic zoning

case to gather more information about the history of a property before deciding to recommend the case for historic zoning to the Planning Commission and the City Council. In 2019-20, the Commission initiated a historic zoning case on eight (8) applications for demolition of a potentially historic structure. Three of these cases (the Edward, Sr. and Connie Rendon House on Haskell Street, the Heflybower House in West Campus, and the Tuke-Lyon Store on Comal Street) were ultimately recommended for historic zoning by the Commission, but failed to get the necessary super-majority vote in favor of historic zoning at subsequent hearings by the Planning Commission or Council.



The ca. 1922 Tuke-Lyon grocery store on Comal Street reflects a vanishing history of neighborhood “mom and pop” grocery stores that characterized East Austin for many years. The condition of the store was such that it would require an almost-complete replacement of exterior materials. The owner pledged to rebuild the store in its place using the exact design as currently exists.

6. The Commission works closely with City staff to identify and process amendments to City Code sections dealing with historic preservation issues.

7. The Commission did not have occasion to recommend that the City acquire property to preserve a property in 2019-20.

8. The Commission made recommendations to Council regarding the historic preservation sections of the Land Development Code rewrites during the fiscal year.

9. The Commission did not have occasion to recommend historic zoning for an object not specifically affixed to land in 2019-20.

10. The Commission did not have occasion to perform other duties as prescribed by Code or ordinance, other than the activities described above.

2. Determine if the board's actions throughout the year comply with the mission statement.

Every action of the Historic Landmark Commission has complied with the mission statement and applicable City Code sections relating to the Commission and historic preservation in 2019-20.

3. List the board's goals and objectives for the new calendar year.

(Make sure the goals and objectives fall within the mission statement of the board/commission.)

In addition to continuing the regular work described above, the Commission intends to evaluate the city's historic district sign ordinance, and improve the effectiveness of historic preservation efforts in Austin, especially in the creation of locally-designated historic districts. Ongoing work includes the creation of city-wide design standards for historic landmarks and historic districts.

The Commission filed the attached Budget Resolution for Fiscal Year 2020-2021, which includes many of the Commission's objectives for the next calendar year. Primary on the list is the development of a new Historic Preservation Plan for the city, as the present plan dates from 1981 and has become obsolete. See the attached resolution for the full list of the Commission's future goals to improve the practice and administration of historic preservation in Austin.

Historic Preservation Office staff holds regular workshops for the Commissioners to discuss the roles, duties, and activities of the Commissioners and Commission and introduce new concepts for design review in historic districts. In the fall of 2019, the Commission and the City sponsored a presentation by Dr. Mike Powe concerning gentrification in historic areas of the city.



FY2021 BUDGET RESOLUTION RECOMMENDATION

Historic Landmark Commission Recommendation 20200224-6.A

WHEREAS the City of Austin Historic Landmark Commission was established in 1974 to promote historic preservation activities in Austin and advise the Austin City Council on matters related to historic preservation; and

WHEREAS the purpose of the Historic Landmark Commission is to prepare and periodically revise an inventory of the structures and areas that may be eligible for designation as historic landmarks, most recently completed in 1984; prepare, review, and propose amendments to a citywide Historic Preservation Plan, last adopted in 1981; and review requests to establish or remove a historic designation and make recommendations on the requests to the Land Use Commission; and

WHEREAS the Imagine Austin comprehensive plan outlines historic preservation policies for the City of Austin to preserve and interpret historic resources in Austin for residents and visitors, with goals including 1) the inventory and protection of historic buildings, structures, sites, places, and districts in neighborhoods throughout the city; and 2) the retention of the character of National Register and local historic districts by ensuring development is compatible with the historic character of the districts; and

WHEREAS the Strategic Direction 2023 includes the honoring and preservation of historical and ethnic heritage as an indicator category, with strategies that include protecting places that reflect Austin’s diverse history and broadening support for and participation in preserving underrepresented histories and resources; and

WHEREAS much has changed since Austin’s current citywide Historic Preservation Plan was adopted in 1981, historic preservation protects places with cultural and historical significance, and can help meet other community goals such as equity, affordability, density, health, and sustainability;

WHEREAS a booming real estate market is driving extensive demolition and new development in areas with longtime human habitation, including potential archaeological resources, and Historic Preservation Office staff do not possess expertise in archaeology;

WHEREAS technical support, monitoring, and regulation of historic rehabilitation projects is essential for effective enforcement of the Historic Landmark Commission’s duties, as proscribed by Code;

WHEREAS the Commission finds the current application process for designation of historic landmarks and historic districts, and the historic review process for substantial projects, require an investment of time and funds by homeowners and neighborhoods, including fees that may be cost-prohibitive;

WHEREAS historic preservation principles and regulations prioritize the retention of historic character, including building materials, and cost comparisons of retention versus replacement would support historic preservation efforts;

WHEREAS owners of low- and mid-rise historic landmarks and contributing properties in historic districts do not currently possess tools to leverage their potential development rights (“air rights”);

WHEREAS the Commission finds that the identification and evaluation of all properties within the city of Austin is a necessary step in developing a process to preserve historic properties that convey the significance of all areas of the city; and

NOW, THEREFORE, BE IT RESOLVED that the Historic Landmark Commission recommends that the Council allocate funds to the Historic Preservation Office in the amount of **\$290,800 for FY2021** to implement the historic preservation responsibilities and priorities as outlined by the Historic Preservation Ordinance, the Land Development Code, Imagine Austin, and Strategic Direction 2023; and allocate **an additional \$177,000 annually** to the Historic Preservation Office to fund additional permanent staff positions. To meet the City of Austin's historic preservation responsibilities and priorities, the Historic Landmark Commission recommends the following steps:

1. Fund a new Preservation Plan for Austin with equity as an essential lens and extensive community engagement. (Approx. \$270,000 in FY21)
2. Create the position of City Archaeologist to manage and coordinate federal, state, and local cultural resource laws, rules, and regulations; help document and preserve archaeological resources; and educate the public about local archaeology. (Approx. \$100,000 annually)
3. Allocate substantial staff time to provide technical advice to property owners and inspect construction projects after the Certificate of Appropriateness has been issued. Failure to meet the requirements of approved Certificates of Appropriateness, as determined by this construction inspection, results in fines and/or other penalties per Code. (Approx. \$77,000 annually)
4. Initiate a study to evaluate the current fee structure for landmark and local historic district zoning applications and assess options for increasing equity through reduced fees or other mechanisms. (Approx. \$15,000 in FY21)
5. Fund a cost comparison tool for rehabilitation projects. (Approx. \$5,800 in FY21)
6. Fund a Transfer of Development Rights (TDR) Market Analysis to assess the feasibility of this important tool in protecting historic landmarks and historic districts while allowing increased height and density in other priority areas. (Approx. \$250,000 in FY21)
7. Fund ongoing and future historic resource surveys using Hotel Occupancy Tax funds and other resources as necessary, based on the priority areas identified as part of the Citywide Historic Building Scan and with attention to equity and development pressures.