

Historic #40

**Old West Austin Neighborhood Association
OWANA**

P.O. Box 2724, Austin, Texas 78768-2724

May 6, 2004

Austin City Council
City of Austin
P.O. Box 1088
Austin, Texas 78767

Dear Mayor Wynn, Mayor Pro Tem Goodman, and Council Members,

The Old West Austin Neighborhood Association (OWANA) Steering Committee commends the Historic Preservation Task Force on its efforts to review and streamline the process of the Historic Landmark Commission and the City Historic Preservation Office. The OWANA Steering Committee members strongly support the designation and maintenance of historic properties and districts for the City of Austin and its future citizens.

The OWANA Steering Committee has some recommendations, comments and questions, which it would like to share with Task Force members and City Council. These are explained in detail in the attachment, addressing the following:

- Support for the recommended designation criteria, with concern, however, that the criteria be applied similarly and fairly to all properties
- Support for maintaining the current level of tax abatements for both residential and commercial properties, and a question on the justification of the recommendation to narrow the gap between abatements for commercial versus residential properties
- A recommendation that the City establish a grant program to assist citizens in low-income areas in establishing historic districts or landmarks in their neighborhoods
- Support for the establishment of property tax incentives for properties located within a local historic district, but with tax abatements for owner-occupied and income producing properties
- Opposition to the recommendation to remove Historic Landmark Commission review of certain National Register Historic District property applications
- Support for the recommendation to reduce the number of positions on the Historic Landmark Commission, but opposition to term-limits for these commissioners and a different recommendation for the allocation of positions on this commission

In conclusion, we would like to remark that we look forward to having an opportunity in the near future to review the findings of PreserveAustin and to consider their input in our own continued examination of historic preservation in Austin.

Sincerely,

A handwritten signature in cursive script, reading "Linda A. MacNeilage". The signature is written in black ink and is positioned above the printed name.

Linda A. MacNeilage, Ph.D.
Steering Committee Chair
Old West Austin Neighborhood Association

Cc:
Members of the Austin Historic Preservation Task Force

Detailed Comments on the Historic Preservation Task Force Findings OWANA Steering Committee

HISTORIC LANDMARK DESIGNATION CRITERIA

The OWANA Steering Committee supports the designation criteria.

The only concern is that the criteria be applied similarly and fairly to all properties. There should be no disparity in the application of these criteria, regardless of whether the historic designation is supported or opposed by the owner, where the property is located or the property's size or financial value or development potential. In the past, the larger structures appear to have had an easier time obtaining historic designations than the smaller and less pretentious structures, creating an impression that the historic value of properties associated with "everyday" people is less than those associated with those more financially, politically and socially prominent. It is important to preserve a balanced view of Austin's history that recognizes the contributions of a wide variety of its past citizens.

TAX EXEMPTION INCENTIVE FOR HISTORIC LAND MARKS

The OWANA Steering Committee supports tax incentives for historic properties. Without these exemptions, far too many owners of historic landmarks would be unable to maintain their historic properties at the level required by the City of Austin.

The OWANA Steering Committee supports maintaining the current level of tax abatements for both residential and commercial properties. There is no apparent justification for the Task Force's recommendation to narrow the gap between the percentage abatement allowed for commercial versus residential properties.

The OWANA Steering Committee also sees no justification in lowering the current level of tax abatements. The return to the City in actual dollars is negligible. Why is this being done at a time when incomes of the citizens of Austin are already stretched? Austin citizens reportedly pay the highest property taxes in the State of Texas, and the costs of maintaining historical landmarks continue to increase. The City has much more to gain economically from visitors who are drawn to the Capitol City by its opportunities for heritage tourism than from the small amount of property taxes the City would gain as a result of the proposed decrease in historic tax abatements. We believe that forthcoming recommendations on the tax abatement structure from PreserveAustin will shed additional light on this issue and we look forward to reviewing those recommendations in our continued examination of this topic.

The OWANA Steering Committee would like to also recommend that the City establish a grant program to assist citizens in low-income areas in establishing historic districts or landmarked properties in their neighborhoods. A grant program of this nature would foster preservation of a much broader variety of historic properties which, in turn, would foster a much more well-rounded presentation of Austin's history.

LOCAL HISTORIC DISTRICTS

The OWANA Steering Committee recognizes that the establishment of local historic districts is crucial to the future of the City's historic preservation program, and supports the establishment of property tax incentives for properties located within a local historic district. However, in contrast to the Task Force's recommendation for differing tax abatements for owner-occupied properties and income producing properties, the OWANA Steering Committee supports equal tax incentives for all residential properties located within a local historic district. There is no differentiation, either current or proposed, between owner-occupied and non-owner-occupied residential properties with historic zoning ("landmarked"). Similarly, there is no justification for any differentiation between residential properties located in a local historic district that are occupied by their owners and those that are occupied by non-owners. The tax incentives in local historic districts should be the same for all residential properties.

NATIONAL REGISTER HISTORIC DISTRICTS

The OWANA Steering Committee strongly opposes the Task Force's recommendation to remove certain National Register Historic District reviews from the purview of the Historic Landmark Commission, and requests that the Landmark Commission continue to review all applications for building permits in National Register Historic Districts. Any significant changes being proposed in a National Register Historic District, including such changes as the relocation and/or demolition of a structure located within the historic district, should come under the reviewing authority of the Landmark Commission. National Register Historic District status can be lost if the character of the district changes significantly. The character of these districts must be monitored closely to ensure that district status is not jeopardized, and the Historic Landmark Commission has proven interest and experience in diligently maintaining the character of Austin's National Register Historic Districts.

COMPOSITION AND QUALIFICATIONS OF THE HISTORIC LANDMARK COMMISSION

The OWANA Steering Committee does not oppose the reduction of the members of the Landmark Commission to bring it in line with other City of Austin boards and commissions, but does respectfully disagree with some of the proposed changes in the composition and qualifications of its membership. We question the requirement of a member of the Heritage Society serving on the Commission when there is no representation from any other preservation-minded group, such as the Travis County Historical Society. Because the Landmark Commission is a professional advisory body, its members should consist of experts and people who have demonstrated a strong interest and knowledge in historic preservation.

The OWANA Steering Committee also recommends that another place on the Landmark Commission be designated for a second architect or other person with a proven

significant educational (such as a Masters Degree in historic preservation) or professional experience in historic preservation. The OWANA Steering Committee also recommends that the commission retain a seat for a licensed attorney. In the OWANA Steering Committee's view, having an attorney on the Landmark Commission promotes sound, consistent decisions that comply with the City's ordinances.

Finally, the OWANA Steering Committee does not believe that the Task Force recommendation of term limits for Landmark Commission members is well-founded. We are not aware of any other board or commission members who are subject to term limits. This is particularly questionable when the members of a board or commission become more knowledgeable and better qualified to do their jobs the longer they serve in that capacity, and given that all members of City boards and commissions serve at the pleasure of the City Council, are subject to removal at any time. When the Landmark Commissioners' expertise and a knowledge of the City's history and the application of the City's Historic Preservation Program increase significantly over time, continuity of their service in that capacity to the City of Austin creates value that argues strongly against term limits for these dedicated volunteers who wish to serve for extended periods of time.

