

**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: Z-12
AGENDA DATE: Thu 12/02/2004
PAGE: 1 of 1**

SUBJECT: C14H-04-0020 - Conduct a public hearing and approve first reading of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the James and Mary Owens House, 1809 E. 13th Street (Boggy Creek Watershed) from General Commercial Services, Neighborhood Plan (CS-NP) combining district zoning to General Commercial Services, Neighborhood Plan - Historic (CS-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant General Commercial Services, Neighborhood Plan - Historic (CS-H-NP) combining district zoning. Planning Commission Recommendation: To grant General Commercial Services-Historic-Neighborhood Plan (CS-H-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Neighborhood Planning and Zoning Department, 974-6454.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Alice Glasco

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-04-0020

H.L.C. DATE: October 25, 2004

P.C. DATE: November 9, 2004

AREA: 7,446 square feet

APPLICANT: Historic Landmark Commission **AGENT:** N/A

HISTORIC NAME: James and Mary Owens House

WATERSHED: Boggy Creek

ADDRESS OF PROPOSED ZONING CHANGE: 1809 E. 13th Street

ZONING FROM: CS-NP

ZONING TO: CS-H-NP

SUMMARY STAFF RECOMMENDATION: Staff recommends the proposed zoning change from commercial services, neighborhood plan (CS-NP) district to commercial services, neighborhood plan - Historic (CS-H-NP) combining district zoning based on Historic Landmark Designation Criteria 1, 3, 6, 7, 9, and 11.

HISTORIC LANDMARK COMMISSION ACTION: Recommended the proposed zoning change from commercial services, neighborhood plan (CS-NP) district to commercial services, neighborhood plan - Historic (CS-H-NP) combining district zoning based on Historic Landmark Designation Criteria 1, 3, 6, 7, 9, and 11. Vote: 5-0 (Fowler, Hansen, and Leary absent).

PLANNING COMMISSION ACTION: Recommended the proposed zoning change from commercial services, neighborhood plan (CS-NP) district to commercial services, neighborhood plan - Historic (CS-H-NP) combining district zoning based on Historic Landmark Designation Criteria 1, 3, 6, 7, 9, and 11. Vote: 8-0.

DEPARTMENT COMMENTS: The house was listed as a medium priority for preservation in the East Austin Survey (2001), and would be contributing to the potential 13th Street Historic District.

CITY COUNCIL DATE: December 2, 2004 **ACTION:**

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION: Swede Hill Neighborhood Association

BASIS FOR RECOMMENDATION:

The ca. 1908 James and Mary Owens House was first occupied by a painter named Brydson, who was probably related to the Brydson Lumber Company family. The house was rented to several other blue-collar Anglo residents until 1920, when the city directories list the first African-American occupants of the house, Allen and Jessie Lott. Neither had a listed occupation in the directory. The house was purchased around 1930 by James and Mary Owens, an African-American couple. Owens operated meat and grocery stores in the neighborhood through the 1930s. The house reverted to a rental unit after 1940, with a series of working-class occupants. The house meets Historic Landmark Designation Criteria 1, 3, 6, 7, 9, and 11:

1. Character, interest, or value as part of the development, heritage or cultural characteristics of the City of Austin, State of Texas, or the United States. The ca. 1908 house represents the transformation of the neighborhood from an Anglo to an African-American neighborhood in the 1920s and 1920s, as the city made a concerted effort to create the east side "Negro district," segregating the African-American population to neighborhoods in East Austin. The house was apparently built as a rental property; up until 1920, the house was occupied by a series of Anglo renters; from 1920 on, African-American families occupied the house, including James and Mary Owens, African-American grocery and meat market owners, who owned the house in the 1930s.

3. Embodiment of distinguishing characteristics of an architectural type or specimen.

The house is a good example of a modest folk Victorian house, featuring a prominent partial-width front porch, and wing-and-gable configuration. Folk (or vernacular) Victorian houses were popular among the middle class at the turn of the 20th century, as they were carpenter-built (rather than architect-designed) and exhibited a more modest level of architectural ornamentation. The large Queen Anne-style houses were generally out of reach for most of the middle class, so they built houses which had the features of the more prominent houses on a more modest scale.

6. Relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on architectural, historic, or cultural motif.

The James and Mary Owens house is located in the potential 13th Street Historic District, as identified by the East Austin Survey (2001).

7. Portrayal of the environment of a group of people in an area of history characterized by a distinctive architectural style. The house was a working-class rental property for the first years of its existence; it was purchased by an African-American grocer and meat

market operator around 1930, when the neighborhood was undergoing a transformation to an African-American neighborhood. The house is modest in size and ornamentation, and reflects the standard of living of the city's African-American middle class in the early 20th century.

9. Exemplification of the cultural, economic, social, ethnic or historical heritage of the city, state or the United States.

The house portrays the transformation of the east side from an Anglo community to one with a predominantly African-American population, exemplifying the demographic change of the neighborhood as the city established programs to segregate African-Americans to a specified "Negro district" on the east side in the late 1920s.

11. Identification with a person or persons who significantly contributed to the culture and development of the city, state or United States.

James and Mary Owens owned a neighborhood grocery store and meat market in the Chicon Street area in the 1930s, exemplifying the segregated business communities in Austin in the early 20th century. Very little is known of James Owens, but he is an example of an African-American entrepreneur who made his business among his own race due to the segregation laws existing at the time. Owens had a meat market at 1901 E. 12th Street in 1931, moved his market to 1212 Chicon Street (next door to this house) in 1933, and a grocery store at 1908 Tillotson Avenue in 1935. By 1939, he was still listed as the owner of this house, but gave his occupation as a clerk.

PARCEL NO.: 02080903050000 **DEED RECORD:** Vol. 5479, p. 91 (1976)

LEGAL DESCRIPTION: East 52 feet of Lot 5, Block 4, Outlot 36, Division B, C.R. Johns Subdivision.

ANNUAL TAX ABATEMENT: \$346 (income-producing rate). City tax abatement: \$88.

APPRAISED VALUE: \$48,339

PRESENT USE: Vacant

CONSTRUCTION/DESCRIPTION: One-story wing-and-gable plan frame house with board-and-batten construction, partial-width independent porch on turned wood posts; 4:4 fenestration.

CONDITION: Poor

PRESENT OWNER

Marcell Medlock and Dorothy Nunn
1903 E. 16th Street

Austin, Texas 78702

DATE BUILT: ca. 1908

ALTERATIONS/ADDITIONS: There is an addition to the rear of the house of unknown date; it is in extremely bad disrepair. The house has been vacant for some time now, and has suffered a great deal of deterioration. Most of the windows are broken or boarded over.

ORIGINAL OWNER(S): Unknown

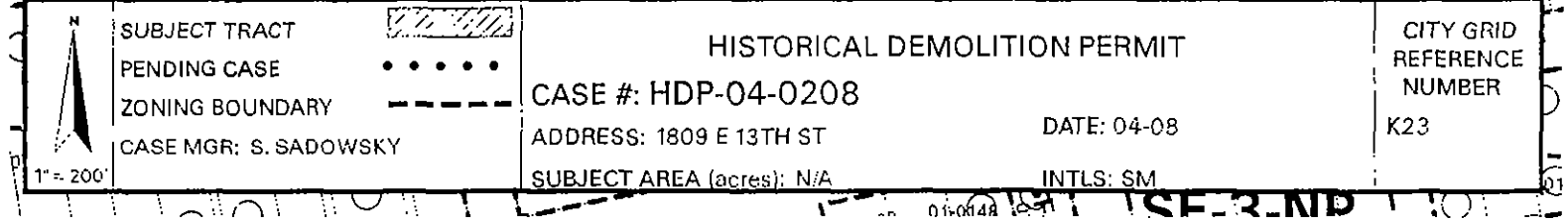
OTHER HISTORICAL DESIGNATIONS:

NATIONAL REGISTER: No

RECORDED TEXAS LANDMARK: No

NATIONAL LANDMARK: No

LOCAL SURVEYS: Yes, the house is listed as a medium priority for preservation in the East Austin Survey (2001), and as a contributing structure to the potential 13th Street Historic District.





OCCUPANCY HISTORY

1809 E. 13th Street

From City Directories, Austin History Center

Historic Preservation Office

August, 2004

1990	Vacant
1984	Henry Dykes Helper, Central Texas Equipment
1979	Henry Dykes Helper, Central Texas Equipment
1974	Walter Cunningham Retired
1969	Henry Dykes Retired
1965	L.C. Anderson No occupation listed
1960	Naomi Thomas Maid
1955	Booker T. (Emma) Collins, owner Laborer, Westbrook Metals
1952	Robert (Pauline) McCraddock Cook
1949	Albert Timan Not listed in main directory
1947	Albert Timan Yardman
1944-45	Abe Smith No occupation listed
1942	Raymond (Jessie) Jones Delivery man, Slaughter Cash & Carry Grocery and Market

1941	Raymond (Jessie) Jones Porter, Fidelity State Bank
1940	Edgar (Estella) Davis No occupation listed
1939	James (Mary) Owens, owner Clerk
1935	James (Mary) Owens Groceries, 1908 Tillotson Avenue
1932-33	James (Mary) Owens Meats, 1212 Chicon Street
1930-31	James (Mary) Owens, colored, owner Meats, 1901 E. 12 th Street
1929	Joseph (Hannah) Bolden, colored Teamster
1927	Thomas (Bessie) Simpkins, colored, renter Driver, Brown Cracker and Candy Co.
1924	Dora Harris No occupation listed
1922	Howard (Jessie) Lott, colored, renter Cotton sampler, Bennett-Tarlton & Co.
1920	Allen M. (Jessie) Lott, colored, renter No occupation listed
1918	Benjamin F. (Martha) Remington Carpenter
1916	Vacant
1914	Lewis H. Edwards Car repair, Houston & Texas Central Railroad shops
1912-13	Mack Wimberly Driver, Driskill Laundry

1910-11	Vacant
1909-10	John Brydson Painter, Moreland Paint and Paper House
1905	No addresses on this side of E. 13 th Street in this block Brydson lived on E. 18 th Street

TXA CERTIFICATE
Nelda Wells Spears
Travis County Tax Assessor-Collector
P.O. Box 1748
Austin, Texas 78767
(512) 854-9473

ACCOUNT NUMBER: 02-0809-0305-0000

PROPERTY OWNER:

MEDLOCK MARCELL &
DOROTHY J NUNN
1903 EAST 16TH STREET
AUSTIN, TX 78702-1217

PROPERTY DESCRIPTION:

E52FT OF
LOT 5 BLK 4 OLT 36 DIV B
JOHNS C R SUBD

ACRES 0.000 MIN% .00000 TYPE

SITUS INFORMATION: 001212 CHICON ST 00000

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
2003	AUSTIN ISD	*ALL PAID*
	CITY OF AUSTIN (TRAV)	*ALL PAID*
	TRAVIS COUNTY	*ALL PAID*
	ACC (TRAVIS)	*ALL PAID*
TOTAL SEQUENCE 0		*ALL PAID*
TOTAL TAX:		*ALL PAID*
UNPAID FEES:		* NONE *
INTEREST ON FEES:		* NONE *
COMMISSION:		* NONE *
TOTAL DUE ==>		*ALL PAID*

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2003 EXCEPT FOR UNPAID YEARS LISTED ABOVE.

TAXES PAID FOR YEAR 2003 \$856.54

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 04/20/2004

Fee Paid: \$10.00

Nelda Wells Spears
Tax Assessor-Collector

By: Joyce Henderson