

**Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: 33
AGENDA DATE: Thu 10/06/2005
PAGE: 1 of 1**

SUBJECT: C14H-05-0006 – Thompson-Carter House – Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1815 Waterston Avenue from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. First reading approved on August 18, 2005 with conditions. Vote: 7-0. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454. Note: Staff recommends withdrawal of the case due to executed agreement between property owner and Clarksville Community Development Corporation.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14H-05-0006 (Thompson-Carter House, 1815 Waterston Avenue)

REQUEST:

Approve second / third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1815 Waterston Avenue (Johnson Creek Watershed) from single family, neighborhood plan (SF-3-NP) district zoning to single-family, neighborhood plan – Historic (SF-3-H-NP) combining district zoning.

DEPARTMENT COMMENTS:

This case was initiated by the Historic Landmark Commission but not recommended by staff for landmark designation. The property owner and the Clarksville Community Development Corporation (CCDC) reached a compromise which is memorialized in the attached agreement. Staff recommends denial of historic zoning for this property. The property owner and the CCDC have reached an agreement which will preserve the front original portion of the house and allow the property owner to construct an addition to the rear, so that historic zoning is no longer necessary to protect this property.

OWNER: Apante Investments, L.P. (Virgilio Altamirano)

AGENT: Jim Bennett

APPLICANT: Historic Landmark Commission

DATE OF FIRST READING: August 18, 2005; approved SF-3-H-NP combining district zoning on 1st Reading (7-0).

CITY COUNCIL HEARING DATE: October 6, 2005

CITY COUNCIL ACTION:

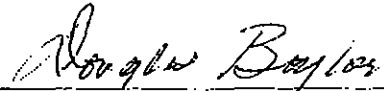
ORDINANCE NUMBER:

ASSIGNED STAFF: Steve Sadowsky
e-mail: steve.sadowsky@ci.austin.tx.us

Agreement

The agreement is between the Clarksville Community Development Corporation (CCDC) and Apante Investments LP. (Apante), owner of the house located at 1815 Waterston Avenue. The parties have entered this agreement in an attempt to preserve as much of the original construction of the house as is reasonably feasible. The following are the settlement issues to the agreement.

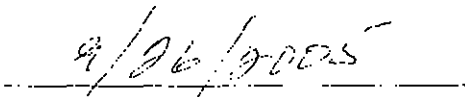
1. After pouring the new foundation and constructing a stud wall on the inside, Apante will deconstruct the house, numbering and salvaging the siding boards and battens for re-use on the three outside walls of the front two rooms of the house after pouring the new foundation. Apante will salvage and re-use all boards and battens in good or repairable condition and replace any deteriorated boards and battens in kind in the front two rooms of the house.
2. Apante will rebuild the existing front part of the house in the current footprint and similar configuration.
3. Apante may demolish the shed-roofed rear additions and construct a new addition on the rear of the house.
4. Apante may install a horizontal board across the bottom of the house to hide any deteriorated sections of boards and battens.
5. Apante shall replace the existing windows in the front part of the house with wood windows that reflect the original character of the house.
6. Apante may re-configure the front porch to extend it along the entire front of the house.
7. Apante shall present plans for the new addition to the Historic Landmark Commission for review of his building permit application.
8. In consideration for the above, the CCDC shall support Apante's application for a building permit.

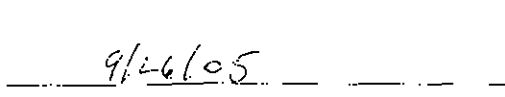


Douglas Baylor, for the
Clarksville Community Development Corporation



Virgilio Altamirano, for Apante Investments, L.P.


Date


Date

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-05-0006

HLC DATE: February 28, 2005
March 28, 2005

PC DATE: May 10, 2005
May 24, 2005

AREA: 6,130 square feet

APPLICANT: Historic Landmark Commission

HISTORIC NAME: Thompson-Carter House

WATERSHED: Johnson Creek

ADDRESS OF PROPOSED ZONING CHANGE: 1815 Waterston Avenue

ZONING FROM: SF-3-NP

ZONING TO: SF-3-H-NP

SUMMARY STAFF RECOMMENDATION: Staff does **not** recommend the proposed zoning change from family residence, neighborhood plan (SF-3-NP) district to family residence, neighborhood plan - Historic (SF-3-H-NP) combining district zoning, but does recommend relocation rather than demolition of the structure.

HISTORIC LANDMARK COMMISSION ACTION: **February 28, 2005:** Initiated a historic zoning case. **March 28, 2005:** Recommended the proposed zoning change from family residence, neighborhood plan (SF-3-NP) district to family residence, neighborhood plan - Historic (SF-3-H-NP) combining district zoning. Vote: 4-2 (Hansen and Leary opposed, Limbacher absent).

PLANNING COMMISSION ACTION: Postponed action until May 24, 2005 to allow an opportunity for the property owner and the Clarksville Community Development Corporation to meet and see if the CCDC would accept the house for relocation to another site and rehabilitation. Vote: 7-0 (Sullivan absent). **May 24, 2005:** Forward the case without a recommendation due to lack of quorum. Vote: 6-0 (Galindo absent, Cortez off-dais).

DEPARTMENT COMMENTS: The house is listed as a Priority 2 in the Clarksville Survey (2000), before the windows and siding were replaced.

CITY COUNCIL DATE: May 26, 2005

ACTION: Postponed to June 9, 2005 at neighborhood's request.

June 9, 2005

Postponed to June 23, 2005 at staff's request.

June 23, 2005

Postponed to July 28, 2005 at property owner's request.

July 28, 2005

Postponed to August 18, 2005 at staff's request.

August 18, 2005

Approved on 1st reading (7-0).

October 6, 2005

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454.

NEIGHBORHOOD ORGANIZATION: Old West Austin Neighborhood Association: Clarksville Community Development Corporation.

BASIS FOR RECOMMENDATION:

The ca. 1930 house is over 50 years old, but has lost its integrity of materials. The 1:1 wood frame windows shown in the 2000 Clarksville survey have been replaced with modern vinyl 6:6 windows; the front porch has been modified; the exterior has sheet paneling as siding. The house has neither architectural nor historical significance sufficient to warrant landmark designation.

ARCHITECTURE

One-story, side-gabled, rectangular-plan frame house with central, partial-width independent porch on plain square wood posts; modern panel sheet siding; modern 6:6 vinyl fenestration.

HISTORY OF THE PROPERTY

The Thompson-Carter house appears to have been built around 1930. The first occupant, according to city directories, was Link Thompson, an African-American yardman, who moved to this house from another Clarksville address. Thompson and his family lived here on Waterston until 1935; he was employed as a chauffeur and butler for families on Niles Road. The 1937 city directory shows the occupant and owner as Otis Kerr, who also worked as a chauffeur. Kerr and his family lived here until 1948, when the house was occupied by Kelly Meador, a teacher at the State Blind Deaf and Orphan School for Colored Youth. The Carter family moved into the house in 1954. Shirley Carter, who is listed as the owner from 1957 on, was a busman at the Greyhound Coffee Shop.

PARCEL NO.: 01110408040000

DEED RECORD: Docket No. 2004119082

LEGAL DESCRIPTION: The west 65 feet of the north 128 feet of Lot 9, Block 13, Maas Addition.

ANNUAL TAX ABATEMENT: \$2,666 (owner-occupied rate). City tax abatement: \$702.

APPRAISED VALUE: \$232,473

PRESENT USE: Vacant

CONDITION: Poor

PRESENT OWNER

Apante Investments, L.P.
P.O. Box 160788
Austin, Texas 78716

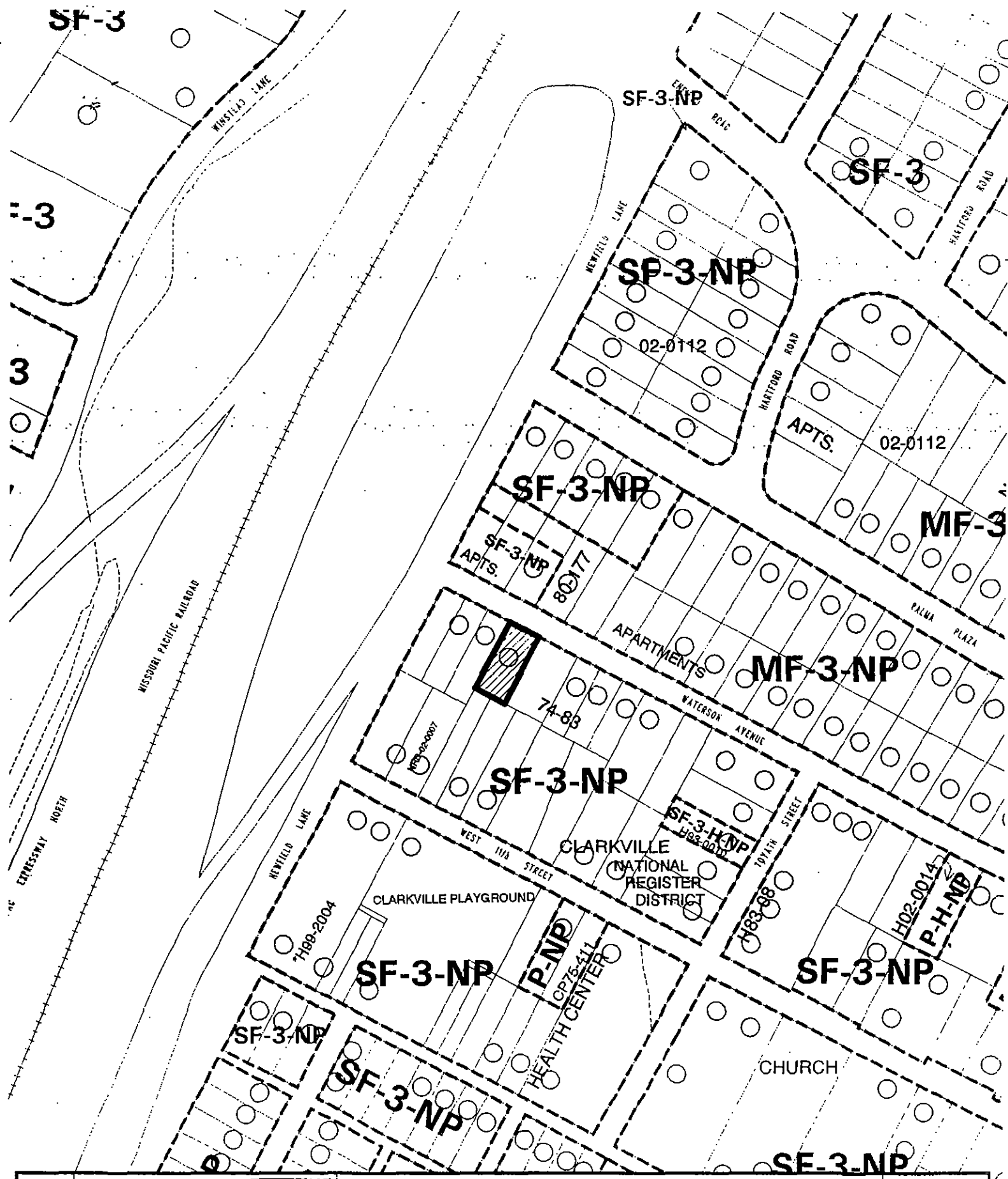
DATE BUILT: ca. 1930


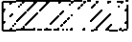

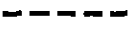
ALTERATIONS/ADDITIONS: Original siding replaced with modern paneling as siding; original 1:1 wood-sash windows replaced with modern 6:6 vinyl windows; front porch modified.

ORIGINAL OWNER(S): Link and Mamie Thompson (1930)

OTHER HISTORICAL DESIGNATIONS:

The house is listed as a Priority 2 in the Clarksville survey (2000), before the windows were replaced.



 1" = 200'	SUBJECT TRACT		HISTORIC ZONING		CITY GRID REFERENCE NUMBER H23
	PENDING CASE				
	ZONING BOUNDARY		CASE #: C14H-05-0006		
	CASE MGR: S. SADOWSKY		ADDRESS: 1815 WATERSON		
			DATE: 05-04		
			INTL: SM		



1815 Waterston Avenue



CITY OF AUSTIN HISTORIC LANDMARK DESIGNATION CRITERIA

To be designated a City of Austin Historic Landmark, a property must:

1. Be at least 50 years old, unless it possesses exceptional importance as defined by National Register Bulletin 22, National Park Service (1996); and
2. Retain sufficient integrity of materials and design to convey its historic appearance; and
3. Be individually listed in the National Register of Historic Places, designated a Recorded Texas Historic Landmark, State Archeological Landmark, or National Historic Landmark, OR
4. Be significant in at least two of the following categories:
 - A. **ARCHITECTURE**
The property:
 - ★ Embodies the distinguishing characteristics of a recognized architectural style, type, or method of construction; or
 - ★ Represents technological innovation in design and/or construction; or
 - ★ Contains features representing ethnic or folk art, architecture or construction; or
 - ★ Represents a rare example of an architectural style; or
 - ★ Serves as a representative example of the work of an architect, builder, or artisan who significantly contributed to the development of the city, state, or nation.
 - B. **HISTORICAL ASSOCIATIONS**
The property:
 - ★ Has significant associations with persons, groups, institutions, businesses, or events of historical importance which contributed to the history of the city, state or nation; or
 - ★ Represents a significant portrayal of the environment of a group of people in a historic time.
 - C. **ARCHEOLOGY**
The property has, or is expected to yield significant data concerning the human history or prehistory of the region.
 - D. **COMMUNITY VALUE**
The property has a unique location or physical characteristic that represents an established and familiar visual feature of the neighborhood or the city, and contributes to the character or image of the city.
 - E. **LANDSCAPE FEATURE**
The property is a significant natural or designed landscape or landscape feature with artistic, aesthetic, cultural, or historical value to the city.

OCCUPANCY HISTORY
1815 WATERSTON AVENUE

From City Directories
Austin History Center
Prepared by City Historic Preservation Office
February, 2005

1969	Shirley and Lillian Carter, owners Employee, Austin Public School
1964	Shirley and Lillian Carter, owners Busman, Kastner's Restaurant
1960	Shirley and Lillian Carter, owners Busman, Greyhound Coffee Shop
1957	Shirley and Lillian Carter, owners Busman, Greyhound Coffee Shop
1954	Melvin and Lillian Carter, owners No occupation listed Also listed as Shirley Carter, a busboy and the Greyhound Coffee Shop
1952	Kelly and Johnnie M. Meador Teacher, State Blind Deaf and Orphan School
1949	Kelly and Johnnie M. Meador Teacher, State Blind Deaf and Orphan School for Colored Youths
1947	Otis and Ola Kerr, owners Chauffeur
1944-45	Otis and Ola Kerr, owners Chauffeur
1942	Otis and Ola Kerr, owners No occupation listed
1940	Otis and Ola Kerr, owners No occupation listed

1937 Otis and Ola Kerr, owners
 Chauffeur, 4 Niles Road

1935 Link and Mamie Thompson
 Butler, 4 Niles Road

NOTE: Otis Kerr is listed as the yard man at 4 Niles Road, and
residing at 1110 Dunbar.

1932-33 Link and Mamie Thompson
 No occupation listed

1930-31 Link and Mamie Thompson (colored)
 Chauffeur, 6 Niles Road

NOTE: Waterston is listed as W. 12 ½ Street; the house address
is listed as 1601.

1929 Address not listed
 Link Thompson is listed as the yardman at 6 Niles Road,
 residing at 1423 W. 12th Street.

C14H-05-0006
Thompson - Carter House
1815 Waterston Ave.

April 4, 2005

Mr. Steve Sadowsky
Historic Preservation Officer
505 Barton Springs Road, 4th Floor
Austin, Texas 78704

Dear Mr. Sadowsky,

As you know per my two presentations to the Historic Commission Board, I am opposed to the Commission's recommendation to impose a historic zoning for my property located at 1815 Waterston. Unfortunately the majority of the Historic Commission Board did not take your recommendation and my factual pleadings of the condition of the house into consideration for their decision. Consequently I have hired Mr. Jim Bennett to represent me in this case.

Sincerely,



Virgilio Altamirano
Apante Investments, LP.

Dan Boulden

1809 Waterston Ave(?)

91

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8

F

Box residence

273a

5-31-39

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