



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

**AGENDA ITEM NO.: 135  
AGENDA DATE: Thu 06/23/2005  
PAGE: 1 of 2**

**SUBJECT:** Conduct a public hearing and consider an appeal by Mike McHone under Section 25-11-247 of the City Code of the denial of a Certificate of Appropriateness by the Historic Landmark Commission under Section 25-11-243 of the City Code for the Maverick Miller House, located at 910 Poplar Street.

**AMOUNT & SOURCE OF FUNDING:** N/A

**FISCAL NOTE:** N/A

**REQUESTING** Neighborhood Planning **DIRECTOR'S**  
**DEPARTMENT:**and Zoning **AUTHORIZATION:** Alice Glasco

**FOR MORE INFORMATION CONTACT:** Steve Sadowsky, 974-6454; Sylvia Arzola, 974-6448

**PRIOR COUNCIL ACTION:** Set public hearing on 4/14/05.

**BOARD AND COMMISSION ACTION:** Certificate of Appropriateness denied by Historic Landmark Commission.

**PURCHASING:** N/A

**MBE / WBE:** N/A

---

This is an appeal by Mr. Mike McHone of the Historic Landmark Commission's denial of a Certificate of Appropriateness for the Maverick Miller House, located at 910 Poplar Street.

The applicant requested a Certificate of Appropriateness to construct a 4-story condominium complex on the northwest side of the property to the rear of the historic house. The proposed condominium complex will be 4 stories with a masonry veneer for the first two stories, and stucco on the upper two stories, with painted steel porches clad with aluminum screen wire and perforated metal panels. The building will have parking underneath, accessed from the dead-end of San Gabriel Street and will rise 44 feet from the grade. The proposed condominium complex is on land zoned historic. The applicant is further requesting removal of historic zoning from the portion of the property where the proposed condominiums will be built, but proposes retaining the historic zoning along the frontage of Poplar Street and preserving the west lawn of the house.

The staff recommended approval of the Certificate of Appropriateness subject to the following conditions:

1. The applicant provide an agreement that a portion of the condominium association fees will be applied to a special account to ensure the continued maintenance and preservation of the historic house; and
2. That the stone from the retaining walls in the section proposed for removal of historic zoning be salvaged for re-use on the property, either as a wall fronting Poplar Street, a wall separating the historic house from the condominium project, or for repairs to any damaged historic stonework on



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

**AGENDA ITEM NO.: 135  
AGENDA DATE: Thu 06/23/2005  
PAGE: 2 of 2**

the site.

On a vote of 5-0, the Historic Landmark Commission denied the Certificate of Appropriateness for the construction of the condominium complex.

**From:** Mike Mchone [mchone1234@sbcglobal.net]  
**Sent:** Tuesday, June 07, 2005 7:33 PM  
**To:** 'Lin Team'; Wynn, Will  
**Cc:** Sadowsky, Steve; Guernsey, Greg; 'Lucy Riggs'; Futrell, Toby; Stan@teamhass.com; steve@piazzaUT.com  
**Subject:** RE: Date clarification

Hi Lin,

Last Friday Mr. Guernsey called to tell me of your email request and I told him I would need to talk to my clients about your request. I have talked with Bill Hale and Steve Brown the owners of 910 Poplar and they have agreed to your request for a postponement to June 23<sup>rd</sup>. I informed the Mayor's office, the Mayor- Pro-tem's office, Council member Alvarez and Mr. Guernsey of their acceptance. I understand that Mr. Sadowsky will be out of town on vacation. Also, I suspect that a couple of long serving council members would not like to have a long contentious hearing at their last council meeting. I appreciate you letting me know in advance so that I could have an opportunity to convince Mr. Hale and Mr. Brown.

Thanks,

Mike

-----Original Message-----

**From:** Lin Team [mailto:lteam@austin.rr.com]  
**Sent:** Thursday, June 02, 2005 5:32 PM  
**To:** Mayor Will Wynn (Will Wynn)  
**Cc:** Steve Sadowsky (Steve Sadowsky); 'Greg Guernsey'; 'Mike Mchone'; 'Lucy Riggs'; 'Toby Futrell'  
**Subject:** Date clarification

Please note that the date we request for postponement of the 910 Poplar case is from June 9 to June 23, not May 23. that slip was probably based on my unresolved disappointment that we didn't get to be heard on May 28<sup>L</sup>.

Lin Team

*Old Austin Realtor®*

*600 Bellevue Place*

*Austin, Texas 78705*

*512-472-1930*

*www.TheKinneyCompany.com*

---

**From:** Lin Team [mailto:lteam@austin.rr.com]  
**Sent:** Thursday, June 02, 2005 1:10 PM  
**To:** Mayor Will Wynn (Will Wynn)  
**Cc:** Steve Sadowsky (Steve Sadowsky); Greg Guernsey (greg.guernsey@ci.austin.tx.us); Mike Mchone (mchone1234@sbcglobal.net); Lucy Riggs (chezriggs@earthlink.net); Toby Futrell (toby.futrell@ci.austin.tx.us)  
**Subject:** Request for postponement of 910 Poplar hearing

Dear Mayor Wynn,

It was certainly understandable that the hearing on 910 Poplar had to be postponed last week, but regretfully we must ask for another postponement to June 23, due to the inability of key people to be present on June 9.

I hope that the council will grant this request, and that the matter may be decided on May 23.

Thank you for your consideration,

Lin Team

*Old Austin Realtor®*

*600 Bellevue Place*

*Austin, Texas 78705*

*512-472-1930*

*www.TheKinneyCompany.com*

# **HISTORIC LANDMARK COMMISSION**

## **FEBRUARY 28, 2005**

### **CONSENT ITEMS**

#### **D. Public Hearing to Discuss and Take Action on Historic Zoning Cases**

##### **1. C14H-99-0013 – Maverick-Miller House 810 Poplar Street**

**Proposal:** Remove historic zoning from a portion of the property, retaining the historic zoning around the house.

**Staff Comments:** The house currently sits on a large piece of property; the house is relatively close to Poplar Street; the historic zoning will be retained along the Poplar Street frontage, and preserving the west lawn of the house. The applicant proposed to build condominium units on the area requested to be removed from the historically-zoned parcel.

**Staff Recommendation:** To approve, with the conditions that: (1) the applicant provide an agreement that a portion of the condominium association fees will be applied to a special account to ensure the continued maintenance and preservation of the historic house; and (2) that the stone from the retaining walls in the section proposed for removal of historic zoning be salvaged for re-use on the property, either as a wall fronting Poplar Street, a wall separating the historic house from the condominium project, or for repairs to any damaged historic stonework on the site. While it is common in historic zoning cases to designate the entire parcel as historic, the Commission has also recommended historic zoning for only a portion on the property to ensure the preservation of the historic house and its context. The applicant requests removal of historic zoning from the downhill section of the parcel to allow the construction of a condominium complex, similar to the situation at the Moore-Williams House on Newning Street, also on a large piece of property. In that case, the Commission recommended historic zoning for an area encompassing a 20-foot buffer around the house, and the front lawn, allowing development on the remainder of the tract.

**2. C14H-99-0018 – Maverick-Miller House  
910 Poplar Street**

**Proposal:**

**Historic house:** Install vents and flues for new mechanical equipment; install condenser units at the northeast corner of the house; re-caulk and repaint windows; reset limestone walkways.

**New construction:** The applicant proposes the construction of a 4-story condominium complex on the northwest side of the property, back from the historic house.

**Project Specifications:**

**Historic house:** See above.

**New construction:** The proposed condominium complex will be 4 stories with a masonry veneer for the first two stories, and stucco on the upper two stories, with painted steel porches clad with aluminum screen wire and perforated metal panels. The building will have parking underneath, accessed from the dead end of San Gabriel Street, and will rise 44 feet from grade. The Maverick-Miller House is 28 feet high at its tallest point.

**Standards for Review:** The Commission's Standards for Certificate of Appropriateness Reviews include:

- Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.
- The installation of protective or code-required mechanical systems shall be concealed whenever possible so as not to intrude upon or detract from the property's aesthetic and historical qualities, except where concealment would result in the alteration or destruction of historically significant materials or spaces.
- Contemporary design for alterations and additions to existing properties are appropriate when such alterations and additions do not destroy significant historic, architectural, or cultural material and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.

**Staff Recommendation:**

**Historic house:** To approve. The majority of the aspects of the applicant's proposal fall under the category of routine maintenance. The new condenser units will be placed at the northeast corner of the building, away from public view, and additionally screened by plantings. The

limestone flagstones in the walkway will be photographed, carefully removed, and replaced in their same location after the sand bed is rehabilitated.

**New construction:** To approve with the conditions that: (1) the applicant return with detailed drawings of the proposed condominium units once the design has been finalized, and (2) that the stone from the retaining walls in the section proposed for removal of historic zoning be salvaged for re-use on the property. The conceptual drawings of the condominiums appear to be compatible with the materials of the property, using a masonry veneer and stucco. The design is very contemporary, and does not destroy or compromise the historic house. The retaining walls on the bluff down to Lamar Boulevard will be destroyed for construction of the proposed condominium complex; the stone from those walls should be salvaged and used appropriately on the site in any proposed walls, or to repair any damaged historic masonry. While the condominium complex is significantly larger than the historic house, its placement on the back (downslope) side of the lot will help minimize its intrusion into the historic views of the property. In addition, the house and the west lawn will be preserved, retaining the property's historic context.

**CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick · Miller House  
910 Poplar Street**

**D. Public Hearing to Discuss and Take Action on Historic Zoning Cases**

1. **C14H-99-0013 – Maverick · Miller House**  
910 Poplar Street  
Application for partial removal of historic zoning.  
By: Mike McHone  
Owner: B & H Enterprises, Inc.  
City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

**D.1 and E.2 were taken together.**

**Staff Presentation**

Item D.1 is for an application for partial removal of historic zoning at the Maverick · Miller House at 910 Poplar Street. The proposal would retain historic zoning around the house and create a buffer of historic zoning encompassing the front yard of the house, which faces west toward San Gabriel Street. The applicant is requesting removal of historic zoning from the remainder of the tract which does not include the historic house; basically the downhill portion, as the historic house sits on a bluff. The applicants plan to develop the site with a condominium complex that is going to be five stories tall. We don't have the full drawings at this time, however a conceptual drawing is in your packet. The applicant has agreed to engineer an agreement for the condominium association to provide funding to ensure continued preservation and maintenance for the Maverick-Miller House. The property has been sold by the family which owned the property for over 70 years. The woman who owned it lives in Houston and found it rather difficult to maintain the house. The current buyer wants to use the house, as part of the condominium complex as a common area and the condos will be built around the house. The street façade and streetscape of the property along Poplar Street will remain unchanged. You will not be able to see the condos from the street. They are going to build the condominiums in one unit



# **CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick - Miller House  
910 Poplar Street**

because they are providing parking underneath to avoid using any additional land to accommodate a parking lot. The condominiums will be 44-feet above grade, which would make the condos taller than the Maverick-Miller House; however the condos would be built down the hill slightly. The Maverick-Miller House is 28-feet high at its tallest point.

The Commission has rarely received a case that requested removal or partial removal of historic zoning, although the Commission has recommended historic zoning for only a portion of a tract before. The Moore-Williams House on Newning Street is a good example of that; the Historic Landmark Commission recommended that since the house was on a very large piece of property, the historic zoning be for the front 200 feet (basically from the house down to the street), and a 20-foot buffer around the house, which would allow for development of the rest of the site.

Staff recommendation is to approve the removal of historic zoning from the portion of the tract that the applicant has requested. If we retain historic zoning on the entire parcel, we are going to have brand new buildings that will be zoned historic and therefore eligible for the property tax exemption. Staff is also recommending approval of the Certificate of Appropriateness for the installation of vents and flues for new mechanical equipment; the installation of condenser units at the northeast corner of the house, re-caulking and repainting the windows, and resetting the limestone walkways.

Commissioner Jean Mather asked how many feet from the property line does the edge of the building sit.

**CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick - Miller House  
910 Poplar Street**

Mr. Sadowsky replied that it would be on page 2 of the brochure, he would defer that to Mr. Mc Hone.

Commissioner Patti Hansen commented that in order to remove historic zoning from a portion of the property, the basis of the original historic zoning would need to be provided, and the minutes of the meeting or any of the plans were provided.

Mr. Sadowsky responded that he could provide that information. There was not a whole lot in the file. Generally, the Commission looks at the parcel that contains the house and zones that parcel as historic.

Commissioner Patti Hansen commented that in this case, the Commission considered whether there were gardens or outbuildings that were part of the historic property.

Mr. Sadowsky replied that he would be able to provide that information.

Commissioner Lisa Laky asked if there was a time deadline or automatic granting of anything that we need to address at this meeting.

Mr. Sadowsky responded that there was not.

**In Support of Partial Removal of Historic Zoning**

Mr. Mike McHone, applicant, stated that this is a very exciting opportunity tonight to talk about how to preserve a historic building and also provide additional housing in the West Campus neighborhood. This historic house cannot be seen from Poplar Street, because it is a very narrow street and there

# **CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0018 – Maverick · Miller House  
910 Poplar Street**

are very large buildings on both sides of the street. Poplar is a street that has a lot of parked cars and overgrown vegetation. What we are hoping to accomplish tonight is having the Historic Landmark Commission assist in designing a project that would give back the public views of this historic building and enhance the neighborhood that gave us this treasure, for all of us to be able to know it is there. It is not our intent in any way to harm or diminish this house; we are trying to figure out how the public good can be served by a private enterprise development that will finance and keep off the deficiency list, by providing a source of funds that will maintain and preserve the historic Maverick-Miller House, while respecting the significant trees that are on the site. The house has always been zoned Multi-Family Residence, Moderate-High Density (MF-4), the tract consists of ¼ acre of land; it is on a street that is only one block long and the side street dead-ends into the bluff of Lamar Boulevard. What we would like to accomplish is use the unique features of that site, and bring the views back from San Gabriel Street, 24<sup>th</sup> Street, and Poplar Street. As you can see, from the primary view from Poplar Street and the view from the end of Poplar Street, the house can barely be seen. You have a property that is surrounded by development over the last 50 years with large buildings all around it and surface parking lots; the house cannot be seen from any other direction. Prior to attending this meeting tonight a survey was performed where a large oak tree was located. We will have an arborist on the project to preserve that tree. The base zoning of Multi-Family Residence, Moderate-High Density (MF-4), was modified by the University Neighborhood Overlay, which the City Council passed recently. The University Neighborhood Overlay enhances the development possibilities so long as the property owner agrees to participate. The things the property owner must do to acquire this enhanced development are provide public access to sidewalks and create a tree-lined pedestrian sidewalk. The Maverick-Miller House is only 9-1/2-feet from the curb. The

# **CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick - Miller House  
910 Poplar Street**

University Neighborhood Overlay also requires that the height be reduced and 10% affordable housing. With these two tools we get more density and remove the setback requirements.

Mr. Michael Guarino, Team Haas Architects, stated that this house has an unusually thoroughly prepared marker text. There are many documents including the original architect drawings in existence. After reviewing the drawings, we determined there have been no noticeable alterations since its construction in 1922. The size of the lot is a bit difficult to determine. The 1935 Sanborn Insurance Maps show the lot; it is a little bit smaller than it is now, even at that late date. Mr. and Mrs. Maverick commissioned Raymond Everett, a faculty member in the School of Architecture to initially design the house for them. They had a falling out so Mrs. Maverick continued the design with her cousin who was then a student at the School of Architecture. Later on they brought Mr. Everett back in to it to complete the drawings from which the house was built. The stone the house was built out of came from the demolition of the Whitis School, which was demolished to make way for the Scottish Rite Dormitory. Mr. Guarino did research at the Austin History Center and found a description of the demolition; so we know that the stone was available at the time of construction of the Maverick-Miller House. There were a number of small houses on the same tract as the Maverick-Miller House; one of the small houses was dragged to the back of the tract and used by the Millers for a combination garage and storage shed. It remained standing until fairly recently. The Millers lived in the Maverick-Miller House until the 1970's when Mrs. Miller went to live elsewhere. The Maverick-Miller House has been in the family but occupied by renters or lessees. Another mention about the gardens, it took some time for the gardens to evolve and there are series of terraces with large cascading stone steps that descend directly from the large outdoor stone terrace that faces north

# **CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick - Miller House  
910 Poplar Street**

of the house. One other notable feature is the Duran or Bluff Oak, which is an unusual type of tree for Austin. It is a very large white oak tree, so it is quite unusual to see this tree in the middle of town. Mr. Guarino stated that he has written a condition report for the Commission, which states that the Maverick-Miller House is in excellent condition. The mortar is in excellent condition, the walls are 14" thick and are intact, the windows have all their hardware.

Fortunat Weigl made the ironwork for the house and it is all there. The interior of the house is in excellent condition. Mr. Guarino stated that he thought all of this bodes well for the maintenance of the house.

Mr. Stan Haas, of Team Haas Architects, stated that the house is currently zoned Multi-Family Residence, Moderate-High Density-Historic (MF-4-H) as mentioned by Mr. McHone, a zoning classification that allows a taller building than the one that is proposed under the University Neighborhood Overlay guidelines. The conceptual drawings in the Commission's packet were done prior to having the final tree survey and topographic survey completed. Since receiving those surveys, the building footprint has been modified. The dash-lines in black are the original footprint; the dash-lines in red are the proposed configuration of the reduced historically zoned property. We have proposed maintaining and protecting the Duran Oak, as well as two other trees, an oak immediately east of the house and a large pecan tree in the front yard.

The parking garage influences the layout of the property. An efficient layout of the parking garage takes advantage of the natural slope of the site. Removing cars from view in a two-level below-grade garage improves the character of the site because there won't be as many parked cars visible from the street. Under University Neighborhood Overlay guidelines we are required to remove many of the cars that park along Poplar Street. The two levels of the parking garage

# **CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick - Miller House  
910 Poplar Street**

serve as a podium, bringing the first level of the condominiums just below the main level of the Maverick-Miller House. Because the first level entry to those units is directly off of this wonderful courtyard, we think that interaction between the condominiums and the Maverick-Miller House will be successful. The four level residential building will be faced with masonry veneer to a height of about 21 feet, 6 inches as shown in your packet. That corresponds to the height of the limestone on the Maverick-Miller House. Above that point the residential building will be much lighter, combining stucco, aluminum screens, and porches, and almost disappearing. The overall height of the building will be 50-feet, conforming to the University Neighborhood Overlay guidelines. This new building not only serves as the financial foundation for the perpetual maintenance of the Maverick-Miller House, it serves as a modest backdrop for this wonderful historic structure. The new building will not mimic the historic one; it complements the historic structure, distinguishing the old. The edge of the building sits approximately 20 feet from the proposed historically-zoned property line.

Commissioner Jean Mather asked if the elevator is still needed.

Mr. Haas replied that the project will need the elevator and the exit stairs.

Commissioner Jean Mather asked if the area proposed for the removal of historic zoning could be adjusted.

Mr. Haas replied that the area to have a reduction of historic zoning can be adjusted.

# **CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick - Miller House  
910 Poplar Street**

Commissioner David West asked if there is also a driveway on the east side of the house.

Mr. Haas replied that because there was a parking lot on the east side of the property, we have proposed and maintained that. This drive will be reconfigured significantly to the west so we can maintain it. The idea is to have independent entries to those levels.

## **In Opposition to Partial Removal of Historic Zoning**

Ms. Lucy Wells Riggs of Houston, Texas stated that she is the granddaughter of Edmond Thornton and Emily Maverick Miller, who developed the property at 910 Poplar Street in 1922 and built their home there. After her grandparents' deaths, her mother Emily Miller Wells used her inheritance to purchase her siblings' shares in the property. She was the owner and protector of 910 Poplar Street for two decades until her death in 1999. Ms. Riggs stated that a few months prior to her death, her mother contracted with Peter Flagg Maxson to begin pursuing historic zoning for the property. Chase Bank, as executor of her parents' estate, was reluctant at first to continue this effort. They pointed out that historic designation would devalue the property, as it would greatly curtail its development potential. Ms. Riggs stated she, her brother and sister were determined to carry out their mother's wishes and honor the sacrifices she had made to preserve this unique property, and 910 Poplar Street was designated a City of Austin Historic Landmark in 2000 and a Registered Texas Historic Landmark in 2001.

Ms. Riggs continued saying she was opposed to the proposed historic zoning change removing most of the historic zoning from 910 Poplar Street. She read a letter from her sister, which said 'It is my conviction that the house at 910

## CITY OF AUSTIN HISTORIC LANDMARK COMMISSION

February 28, 2005 Minutes

C14H-99-0013 – Maverick • Miller House  
910 Poplar Street

Poplar cannot be considered an entirely separate entity from its very particular siting and the surrounding grounds. Discussing the choice of a site in her memoirs, my grandmother specifically mentioned her attraction to the view to the north over the bluff to Lamar Boulevard, and her intention "to build the house as near to the edge as possible." The site is an integral part of the building design, including the orientation of the tower, the outside patio, and the terraced stone walls which conformed to the slope of the hill. In fact the site can be said to have determined some of the most important architectural features of the house. To remove the historic designation from a large part of the property adversely affects the house itself because it jeopardizes the very context which originally inspired its creation. If the historic zoning is removed to allow for this proposed massive development, the hillside setting and the landscaping features mentioned in the marker will be destroyed. A development of a much more modest scale placed in areas of the property that are not as significant to the house itself would be much more appropriate. When my siblings and I came to the painful conclusion that we could no longer afford 910 Poplar, and that we needed to sell this beautiful property, we consulted a lawyer to consider ways to protect it. We were dissuaded by our realtor, Lin Team, who said that deed restrictions would be unlikely to be enforced as there was no one around to enforce them and would pose problems with title companies and prospective buyers. Lin Team, Steve Sadowsky, and Peter Maxson and others reassured us that the protection given under the City's Ordinances concerning the historic properties was sufficient to prevent the type of development that would detract from the property's historic value. Our preference was to sell to someone who would retain the property as a single family residence. However it became clear that because of the character of the neighborhood, the need to make a property economically viable, and the relatively large amount of land, we had to accept the likelihood that the property would be developed to some extent by its new



## **CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick · Miller House  
910 Poplar Street**

owners. People believed that this development would have to be sensitive and respectful of the historic integrity of 910 Poplar because it would have to be approved by the Historic Landmark Commission. I would like to close with more of my sisters' remarks: "The historic designation is of course important to the Maverick-Miller family for personal reasons, but more significantly the historic designation is a gift to the City Of Austin and the State of Texas. It preserves as it is intended to be and we quote from you "a structure, site and area of architectural, historical, and cultural significance for the entire community." I would also like to address some of the issues regarding the public view of 910 Poplar. As you know the neighborhood has greatly changed since the 1920's, it used to be a professors' neighborhood. Professor Barker's rock mansion was just down the street, many distinguished people lived in this neighborhood. With the exception of 910 Poplar, these were all demolished. It is an oasis in the congested west campus area. Due to Poplar Street becoming almost like an alley with all of the overflowing dumpsters, we did let the landscaping grow pretty tall to provide a screen to the ugly view of dumpsters. You will see if the view is opened up from San Gabriel, it is a beautiful view of the house from the west with the lawn. Countless people knew exactly where my sister and I lived during our college years, because the rock tower was clearly visible from North Lamar Boulevard and Shoal Creek. This view is not quite obscured now, you can still see the house from North Lamar Boulevard. It could easily be rectified by cutting down some of the volunteer trees. The whole reasoning for the house being built in the first place was to be able to see the house from North Lamar Boulevard. You cannot appreciate the architectural view of the house except when seen from the west and north. I think there are areas of the tract that could be developed in a more modest way that would not detract from the landscaping and siting of this house.

# **CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick - Miller House  
910 Poplar Street**

Commissioner Lisa Laky asked if Ms. Riggs knew what the marker says.

Ms. Riggs replied that yes, it says "Edmund and Emily Miller House. Noted economist and University of Texas Professor, Edmund T. Miller (1878-1952) and his wife Emily (1884-1979) an artist and member of the pioneer Maverick family of San Antonio, acquired this property in 1922. The design for their Mediterranean style home was the work of Emily Miller, her nephew, Edward S. Maverick, and architect Raymond Everett. Built to compliment the hillside setting, and completed in 1923, the house features the work of metal craftsman Fortunat Weigl and retains many of its original landscaping features." As you will see in this proposal, all of those landscaping features, the six terraces with stone retaining walls, the steps leading down, are all obliterated.

Ms. Lin Team, realtor, stated that she assisted the family in finding a buyer for this property. Ms. Team provided the Commission with a packet. The front page contains a description of the property. The Austin Historic Landmark Commission must approve any changes to the exterior of the property. The landmark designation on this property was made to preserve this remnant from the time when this area was the site of many fine homes of similar character and quality. In attempting to market this property, I consulted Mr. Steve Sadowsky, asking him what he thought the Historic Landmark Commission would approve. He answered that he did not think the Commission would approve anything that could be seen from the front steps of the house. The third page shows the front views of the house, it faces west on San Gabriel. We told the prospective buyers about the trees and other obstacles. We saw ways to make the project economically feasible. Ms. Riggs indicated to Chase Bank that it was their desire to have historic designation, even though they were aware that they could sell the property for more money if it were not historically designated. Their

# **CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0018 – Maverick · Miller House  
910 Poplar Street**

intention was to sell to a person who would use the property for a modest development, perhaps for single-family use or 2-3-family use. I really thought the best protection for this property was landmark designation.

Mr. Peter Flagg Maxson, architectural historian, stated that he prepared the original documentation for the Maverick-Miller House. He also owns the historic Kopperl House, and is familiar with the neighborhood. In 1998 he met an elderly lady named Emily Maverick-Miller Wells, who was greatly concerned about the future of her family home in the West Campus neighborhood. The Mediterranean Revival villa is an oasis in perhaps the most congested neighborhood in Central Austin. Mrs. Wells had maintained the property at great cost due to her love and respect for the memory of her parents and the house itself. She was in failing health and fearful of the property's future. Mr. Maxson stated that he suggested the most important remedial action would be to obtain City of Austin landmark designation. The 1922 Sanborn map noted a number of shotgun houses once associated with the now almost completely vanished Wheatsville community, so there may be archeological significance as well that has not been investigated.

Mr. John Volz, a principal at Volz and Associates, restoration architects, stated that when he first came to Austin as a student, one of the things that always intrigued him was the castle tower that could be seen over the treetops on North Lamar Boulevard. Later he learned that it was a special and unusual place. At the time the property went up for sale, he approached Lin Team about the house, but another party had already made an investment so his purchase of the house was no longer an option. The Poplar Street façade is not the primary façade of the house. The north and west facades are. Any development of the property should respect that particular aspect of the property. The relationship

# **CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick · Miller House  
910 Poplar Street**

of the house is not to Poplar Street but to the courtyard and terrace looking out into the landscape. Landmark designation is about retention of those elements that are significant to specific properties and in a larger sense to the cultural heritage to the City of Austin.

Ms. Tere O'Connell, a former Historic Landmark Commission member, who was on this Commission when this property was designated an Austin landmark stated that this house is truly a treasure. She encouraged people who are interested in the property to not just drive by on Poplar Street, because the real views are on the north and west sides. It is the most incredible Italian villa. The site is an integral part of this historic structure with its tower and terraces that cascade down the hill. Ms. O'Connell stated that she would fully support any low scale development that would make use of the lower areas of the site that are not visible from the front entryway and don't disturb the terraces and the view down to Lamar Boulevard and Shoal Creek as the family originally intended for the design of the site.

Commissioner Jean Mather asked if they had any photographs or drawings of the terrace.

Ms. O'Connell replied that she did not know if they had been provided with that backup. She stated that she had not seen what design the Historic Landmark Commission is reviewing.

## **Rebuttal**

Mr. Mike McHone stated there had been a few questions raised. The schedule he spoke about is involving the construction of a student housing project; approval needs to be received within 12 months. We want to save this house and are

# **CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick · Miller House  
910 Poplar Street**

trying to figure out how to economically achieve that. The views and perspectives of the Commission are from the public right-of-way and how they pertain; not what is on the site itself. Mr. McHone stated that the Commission has the purview of what you can see from the public right-of-way only. Mr. McHone reminded the Commission that they approved a parking structure at the Goodall-Wooten House, and that the Pompee-Clarke-Cook House was relocated to allow a project to be constructed there. Historic zoning for the Rutherford House was actually removed and the house was moved out of the neighborhood. This house is staying on its original site. We desire to create an income stream to preserve and protect this house. On page 8 of our packet you have a view of the property through the deciduous trees with no leaves. The crane in the background represents the location of the other project being built by this owner. The interesting thing to note is that project has the same price per unit for the land as the project we are proposing on this site, without the constraints the Maverick-Miller House has with its terrain, and also without the restraint of preserving for perpetuity through the condominium project so the State of Texas and the City of Austin can enjoy the Maverick-Miller House. The family sold the house we are attempting to restore it and maintain it forever. We would like your help in doing that and think the proposal you have before you does that.

Public hearing was closed (Mather/West).

Commissioner Jean Mather asked Mr. Sadowsky whether it would be appropriate for the Commission to ask to see more concrete plans for the condominiums. She would like to see a site plan showing the relationship of the terraces and to see a public view of the property. She felt the applicant should resubmit a plan that is more sensitive to the site.

**CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0018 – Maverick - Miller House  
910 Poplar Street**

**COMMISSION ACTION: MATHER/WEST**

**MOTION: TO POSTPONE ON ALL ITEMS OTHER THAN REPAIR OF THE  
EXISTING HISTORIC STRUCTURE.**

**MOTION WAS WITHDRAWN BY MATHER**

**COMMISSION ACTION: HANSEN/WEST**

**MOTION: DENIED REMOVAL OF HISTORIC ZONING.**

**AYES: BUNTON, HANSEN, LAKY, MATHER, AND WEST**

**ABSENT: LEARY AND LIMBACHER**

**MOTION CARRIED BY A VOTE OF 5-0**

**CITY OF AUSTIN HISTORIC LANDMARK COMMISSION**

**February 28, 2005 Minutes**

**C14H-99-0013 – Maverick - Miller House  
910 Poplar Street**

**E. Approval/Disapproval Of Certificates of Appropriateness**

2. **C14H-99-0013 – Maverick - Miller House**  
910 Poplar Street  
Application for construction of condominium units.  
By: Mike McHone  
Owner: B & H Enterprises, Inc.  
City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

**COMMISSION ACTION: MATHER/WEST**

**MOTION: TO POSTPONE ON ALL ITEMS OTHER THAN REPAIR OF THE  
EXISTING HISTORIC STRUCTURE.**

**MOTION WAS WITHDRAWN BY MATHER**

**COMMISSION ACTION: WEST/HANSEN**

**MOTION: APPROVE A CERTIFICATE OF APPROPRIATENESS ONLY FOR THE  
HISTORIC HOUSE TO INSTALL VENTS AND FLUES FOR NEW  
MECHANICAL EQUIPMENT, INSTALL CONDENSER UNITS AT THE  
NORTHEAST CORNER OF THE HOUSE, RE-CAULK AND REPAINT  
WINDOWS, AND RESET LIMESTONE WALKWAYS.**

**AYES: BUNTON, HANSEN, LAKY, MATHER, AND WEST**

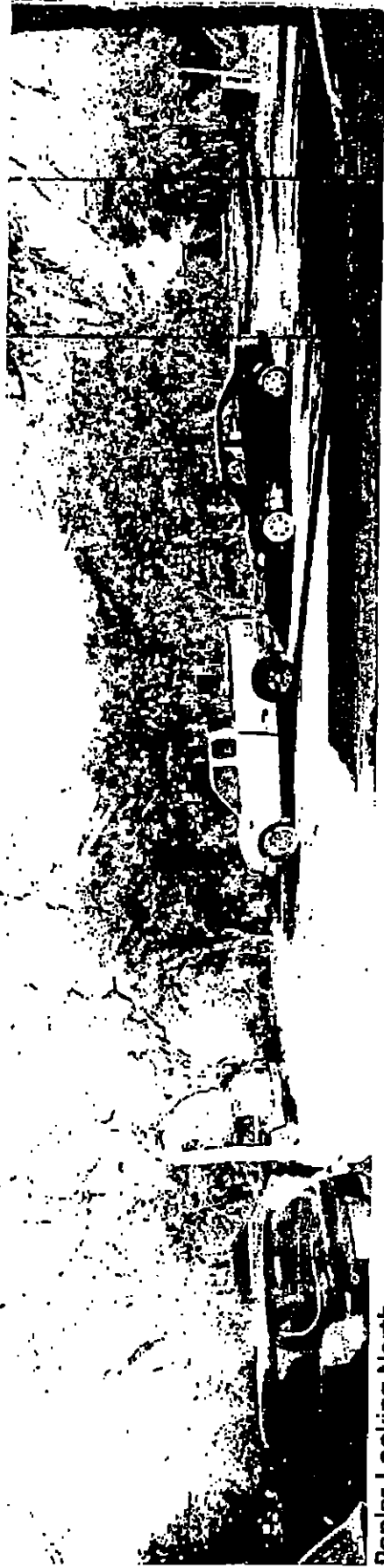
**ABSENT: LEARY AND LIMBACHER**

**MOTION CARRIED BY A VOTE OF 5-0**



View From Lamar Blvd. of Maverick Miller House Looking South-East Page 6





Poplar Looking North



South East Oblique



Poplar Looking North-West



Poplar Looking West



San Gabriel & Poplar Looking East



San Gabriel & Poplar Looking North-East



San Gabriel & Poplar Looking West

SITE AREA: 0.750 ACRES  
32,670 SQUARE FEET

