

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



**AGENDA ITEM NO.: 79  
AGENDA DATE: Thu 07/28/2005  
PAGE: 1 of 1**

**SUBJECT:** C14H-05-0006 - Thompson Carter House - Approve first 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. Historic Landmark Commission: To grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: Forward without a recommendation due to lack of a quorum vote. Applicant: Historic Landmark Commission. Agent: Neighborhood Planning and Zoning Department. City Staff: Steve Sadowsky, 974-6454. A valid petition has been filed in opposition to this rezoning request.

<b>REQUESTING</b>	<b>Neighborhood Planning</b>	<b>DIRECTOR'S</b>
<b>DEPARTMENT:</b>	<b>and Zoning</b>	<b>AUTHORIZATION: <u>Greg Guernsey</u></b>

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## 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

**ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>

**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

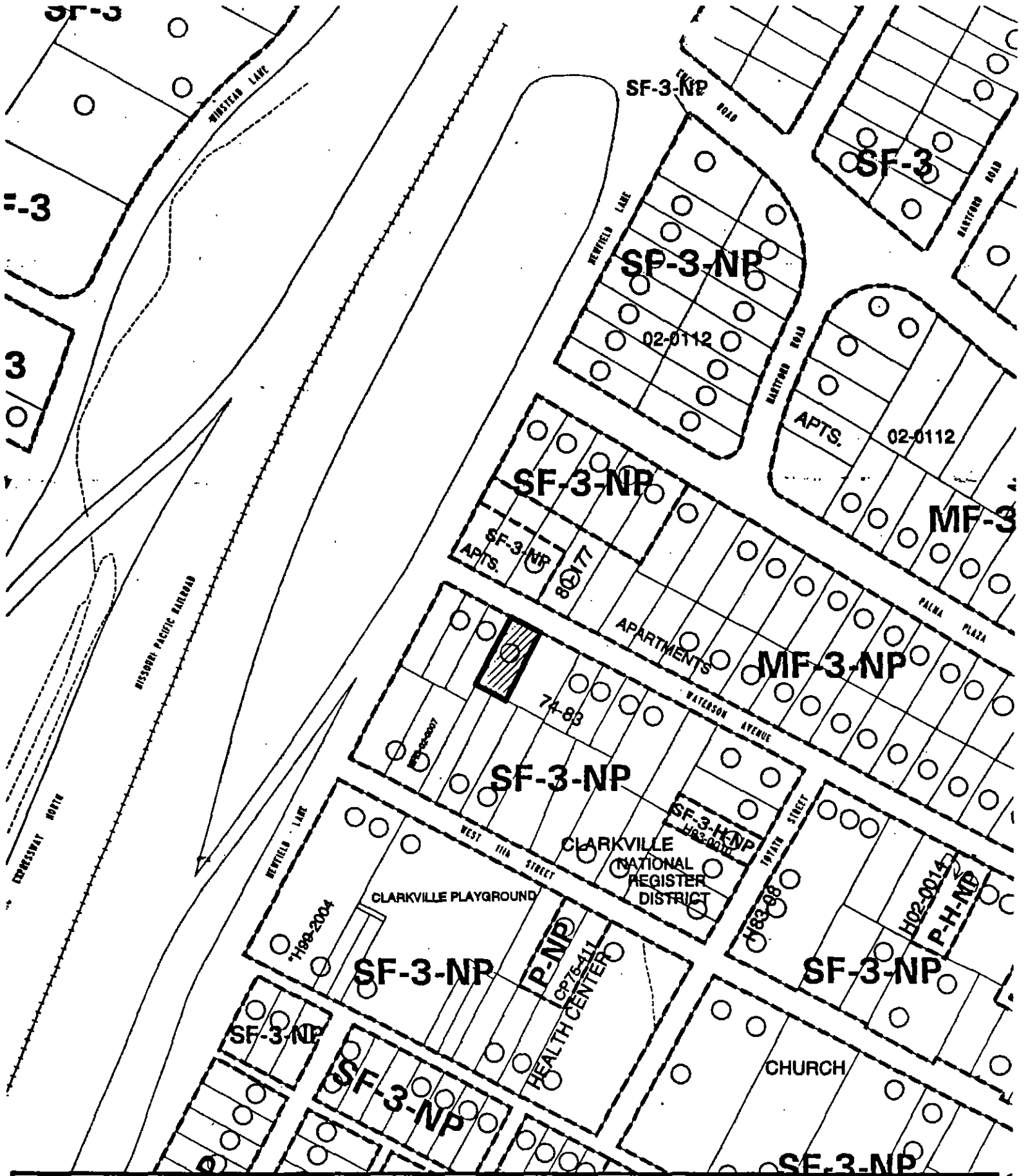
**DATE BUILT:** ca. 1930

**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.



	<b>SUBJECT TRACT</b> 	<b>HISTORIC ZONING</b> <b>CASE #: C14H-05-0006</b> <b>ADDRESS: 1815 WATERSON</b> <b>SUBJECT AREA (acres): N/A</b>		<b>DATE: 05-04</b> <b>INTLS: SM</b>	<b>CITY GRID REFERENCE NUMBER</b> <b>H23</b>
	<b>PENDING CASE</b> 				
	<b>ZONING BOUNDARY</b> 				
	<b>CASE MGR: S. SADOWSKY</b>				



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

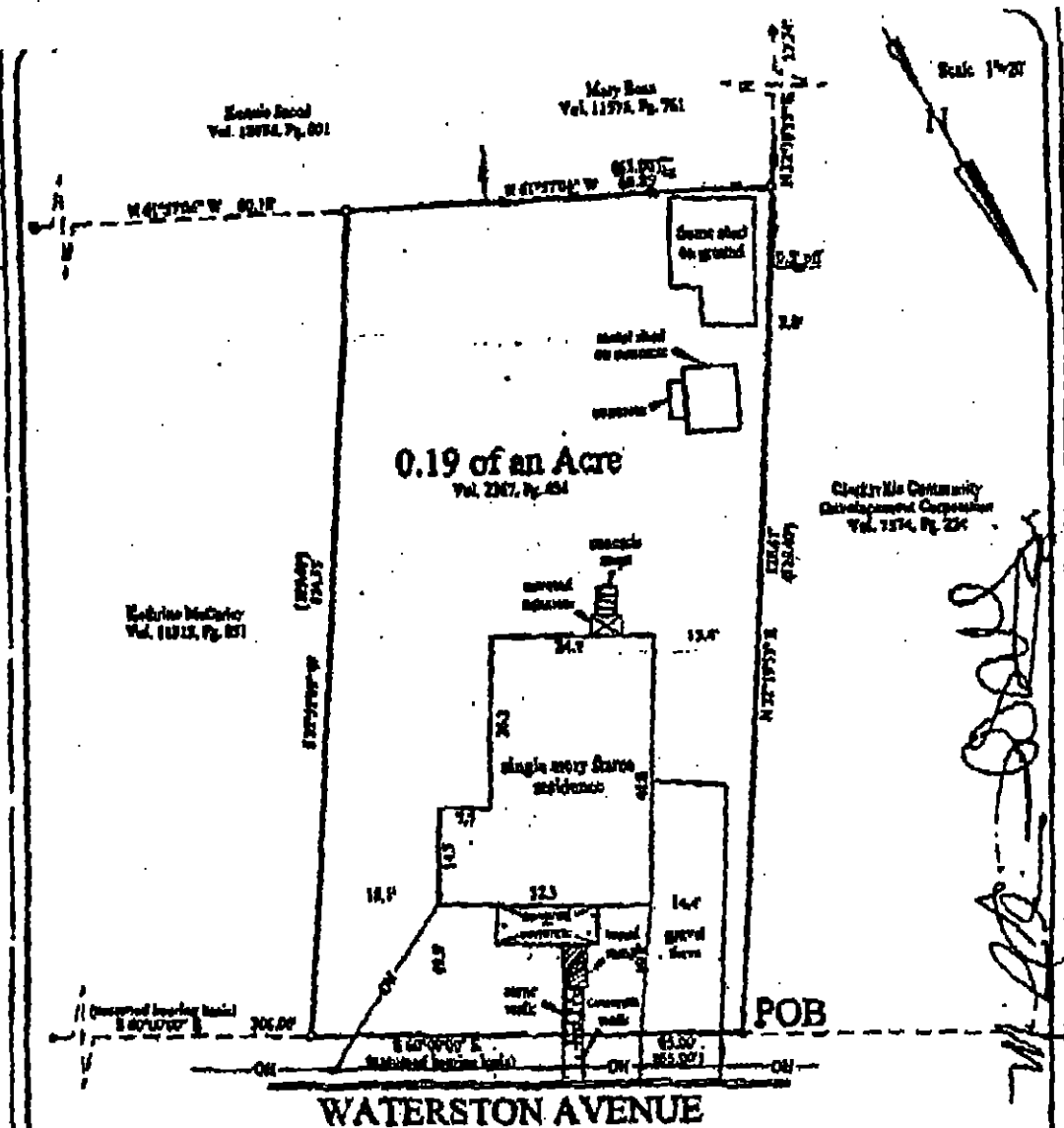
NOTE: Otis Kerr is listed as the yard man at 4 Niles Road, and  
residing at 1110 Dunbar.

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. 12<sup>th</sup> Street.



**Legal Description:**  
 0.19 of an Acre of land being the West 27 of the North 122 of Lot 8, out of Lot 13 of the subdivision of Lot 13 & 14 of a 251 Acre subdivision out of the T.J. Chapman Grant, also being a portion of the MAAS Addition in Vol. 2, Pg. 172, being further described in Exhibit 'A'

- LEGEND**
- 4\"/>

COUNTY: TRAVIS STATE OF TEXAS STREET ADDRESS: 1815 WATERSTON AVENUE  
 CITY: AUSTIN REFERENCE NAME: MICHAEL GRONES and THOM GRONES

**ALL STAR Land Surveying**  
 12731 Research Blvd.  
 Building A, Suite 106  
 Austin, TX 78759  
 (512) 243-8149 phone  
 (512) 331-3217 fax



THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD PLAIN AND HAS A ZONE X RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP No. 44450C0205E PANEL 6006 DATED 8-14-93  
 This certification is for insurance purposes only and is not a guarantee that the property will or will not flood. Contact your local floodplain administrator for the current status of this area.

DATE: 1/23/2004  
 Survey: platy  
 Q.F. # 04-5875  
 JOB No. A0106100

TO THE RECORDERS AND TO THE OWNERS OF THE PRECEDING SURVEYING AND TO  
**FIDELITY NATIONAL TITLE**  
 I do hereby certify that this survey was this day made on the ground under my supervision and to the best of my knowledge of the property legally described herein and that there are no boundary line conflicts, encroachments, easements, or rights in place, except as shown herein, and certify only to the legal description and dimensions shown on this referenced site map.

FIELD BOOK	FBI	1/22
FIELD WORK	BOOKS	1/21
DESKING	P. 2/20/04	1/23
FINAL CHECK	ME	1/23
UP DATE	NA	



**ARNOLD INVESTIGATIVE ENGINEERING INC.**  
**5511 PARKCREST DR., SUITE 107**  
**AUSTIN, TEXAS 78781**  
**(512) 345-6620 FAX (512) 345-4233**

February 28, 2005

Mr. Virgilio Altamirano

**SUBJECT:** Limited Inspection of 1815 Waterston, Austin, TX

At your request, Arnold Engineering conducted an inspection of the subject property on February 28, 2005. The purpose of the inspection is to observe limited areas of structural systems, and to for an opinion as to whether the building could be cost effectively rehabilitated.

The building is a one-story, single family structure. The foundation is a pier and beam structure. The roof is composition shingle. The wall system is wood frame.

The roof ridgelines are visibly sagging. The visible interior doorways are racked, indicating foundation movement, and or wood wall frame racking and decomposition. The visible interior wall surfaces are water stained, with areas of visible deterioration. The floor joists are also water stained and deteriorated.

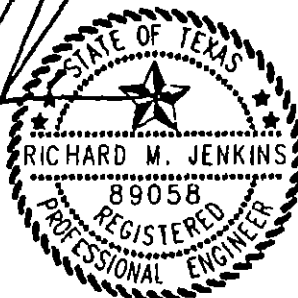
Based upon these observations, it is my opinion that the subject building cannot be cost effectively rehabilitated. It is our recommendation that the building be demolished and reconstructed.

I hope this information is helpful. Please do not hesitate to call if we may answer and questions or be of additional service.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. M. Jenkins', is written over a circular professional engineer stamp. The signature is written in a cursive, flowing style.

Richard Jenkins, P.E.



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

April 4, 2005

Mr. Steve Sadowsky  
Historic Preservation Officer  
505 Barton Springs Road, 4<sup>th</sup> 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.

**Clarksville Community Development Corporation**  
**P.O. Box 5975**  
**Austin, Texas 78763**

May 25, 2005

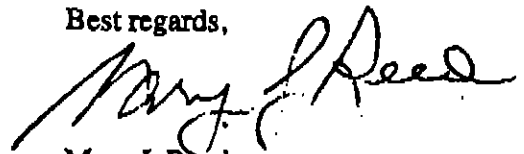
Steve Sadowsky  
Historic Preservation Officer  
Neighborhood Preservation Office  
City of Austin

Dear Steve:

The Clarksville Community Development Corporation (CCDC) requests a one-month postponement of C14H-05-006, Thomson-Carter House, by the City Council. Presently, the case is scheduled to be considered at the May 26, 2005 Council meeting. Key CCDC board members and neighborhood residents involved in this issue will be out of town on that day and one of those individuals is in the hospital.

Thanks for your consideration.

Best regards,

A handwritten signature in dark ink, appearing to read "Mary J. Reed", written in a cursive style.

Mary J. Reed

CCDC Board Secretary



1815 Waterston Avenue