

**AGENDA**



**Recommendation for Council Action**

Austin City Council	<b>Item ID</b>	25691	<b>Agenda Number</b>	114.
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<b>Meeting Date:</b>	8/8/2013	<b>Department:</b>	Planning and Development Review
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**Subject**

Conduct a public hearing and consider an appeal by the West Point Society of Central Texas regarding the Zoning and Platting Commission's denial of its appeal of the Historic Landmark Commission's decision on a Certificate of Appropriateness for work proposed at Mount Bonnell/Covert Park, a City of Austin Historic Landmark.

**Amount and Source of Funding**

**Fiscal Note**

<b>Purchasing Language:</b>	
<b>Prior Council Action:</b>	
<b>For More Information:</b>	Steve Sadowsky, 512-974-6454.
<b>Boards and Commission Action:</b>	April 22, 2013 – Certificate of Appropriateness approved by the Historic Landmark Commission on a 5-0 vote with Commissioner's Leary and Wolfenden-Guidry absent. June 4, 2013 – Not approved by the Zoning and Platting Commission on a 3-3 vote with Commissioner Rojas absent.
<b>MBE / WBE:</b>	
<b>Related Items:</b>	

**Additional Backup Information**

On April 22, 2013, an application for a Certificate of Appropriateness (COA) for Mount Bonnell, a City of Austin Historic Landmark (C14H-1990-0006), was presented to the Historic Landmark Commission (HLC) for review. The COA, submitted by the Parks and Recreation Department, requested consideration of two options 1) repair the original, historic limestone monument or, 2) erect a new granite monument on the site. The HLC voted to approve the repair and re-installation of the original historic limestone monument on Commissioner John Rosato's motion and Commissioner Terri Myers' second with a 5-0 vote. On May 6, 2013, the West Point Society of Central Texas (WPSCT) submitted an appeal of the HLC's decision to the Director of the Planning and Development Review Department. Pursuant to City Code, that appeal was presented to the Zoning and Platting Commission (ZAP) on June 4, 2013, at which time a motion to grant the appeal failed on a vote of 3-3. On June 17, 2013, the WPSCT submitted an appeal of ZAP's action to the Director of the Planning and Development Review Department, as well as other City Officials.

Per City Code Section 25-1-190 the burden on the appellant is to establish that the decision being appealed is contrary to applicable law or regulation. The decision by the HLC was based upon application of the Secretary of the Interior's Standards for Rehabilitation (CFR 35, Section 67.7) as required by City Code section 25-11-243(D).

Staff recommends upholding the HLC's decision as it meets the Secretary of the Interior's Standards for Rehabilitation and is not contrary to this, or other, applicable laws or regulations.