



MEMORANDUM

TO: Anne Morgan, Interim City Attorney
Austin, Kaplan, Ethics Commission
Kent C. Anschutz
Arif Panju

FROM: Jannette Goodall, City Clerk *JG*

DATE: August 11, 2015

SUBJECT: Sworn Complaint

The attached sworn complaint was received August 11, 2015 in the Office of the City Clerk. It was filed by Kent Anschutz against Arif Panju.

Per City Code, Chapter 2-7-41(D), this letter serves as the Office of the City Clerk's acknowledgement that the complaint was received and as notice to all those named above, as required in the code.

Attachment

ETHICS REVIEW COMMISSION
CHAPTER 2-7 CITY CODE
COMPLAINT

AUSTIN CITY CLERK
RECEIVED

2015 AUG 11 AM 10:32

NAME OF PERSON(S) FILING COMPLAINT: Kent C. Anschutz
MAILING ADDRESS: 1012 Rio Grande, Austin, Texas 78701
PHONENUMBER: (512) 478-4947
EMAIL ADDRESS: [REDACTED]

PLEASE FILE A SEPARATE COMPLAINT FORM FOR EACH PERSON
COMPLAINED AGAINST.

NAME OF PERSON COMPLAINED AGAINST: Arif Panju
CITY OFFICE, DEPARTMENT, COMMISSION: Member, Historic Landmark
Commission
MAILING ADDRESS: 506 Lockhart Drive, Austin, Texas 78704
PHONE NUMBER [IF KNOWN]: (512) 659-6286
EMAIL ADDRESS [IF KNOWN]: Arif.Panju@austintexas.gov

The Ethics Review Commission has jurisdiction to hear complaints alleging violation(s) of
the following provisions:

- City Code, Chapter 2-1, Section 2-1-24 (City Boards, Conflict of Interest and Recusal)
- City Code, Chapter 2-2 (Campaign Finance)
- City Code, Chapter 2-7 (Ethics and Financial Disclosure), except for Article 6 (Anti-lobbying and Procurement)
- City Code, Chapter 4-8 (Regulation of Lobbyists)
- City Charter, Article III, Section 8 (Limits on Campaign Contributions and Expenditures)

PLEASE LIST EACH ALLEGED VIOLATION OF THE ABOVE CITY CODE AND
CHARTER PROVISIONS SEPARATELY ON THE FOLLOWING PAGES.

I.

SECTION OF CHARTER OR ORDINANCE VIOLATED: Sec. 2-7-63(A), City of Austin Code

DATE OF ALLEGED VIOLATION: July 27, 2015

ACTIONS ALLEGED TO BE A VIOLATION:

See attached documentation and supporting materials, incorporated herein by reference.

WITNESSES OR EVIDENCE THAT WOULD BE PRESENTED:

Exhibit "C-1": Historic Landmark Commission Agenda for July 27, 2015;

Exhibit "C-2": Executed Attendance Sheet (Conflict of Interest Affirmation) for Historic Landmark Commission, July 27, 2015;

Exhibit "C-3": Travis County Appraisal District Ownership Records of 506 Lockhart Drive, Austin, Travis County, Texas;

Exhibit "C-4": City of Austin Statement of Financial Information for Arif Panju showing ownership of 506 Lockhart Dr., executed May 14, 2015;

Exhibit "C-5": Inventory of Real Property Parcels subject to Zoning Case No. C14-2014-0014, Bluebonnet Hills Historic District, including survey page of 506 Lockhart Dr.;

Exhibit "C-6": Petition in opposition, sign-in sheets and minutes of Historic Landmark Commission meetings, flyers created and circulated by Arif Panju, and his correspondence to the City in opposition to Blue Bonnet Hills Local Historic District.

Exhibit "C-7": Transcript of July 27, 2015, Historic Landmark Commission (decisions and actions related to Zoning Case No. C14-2014-0014).

[IF MORE ROOM IS NECESSARY, PLEASE CONTINUE ON A BLANK PAGE USING THE SAME FORMAT]

ALL THE STATEMENTS AND INFORMATION IN THIS COMPLAINT ARE TRUE AND FACTUAL TO THE BEST OF MY KNOWLEDGE.

DATE: 8-11-15


COMPLAINANT'S SIGNATURE

KENT C. ANSCHUTZ
PRINT NAME

STATE OF TEXAS

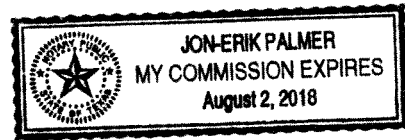
COUNTY OF TRAVIS

This instrument was acknowledged, sworn to and subscribed before me by

Kent C. Anschutz

On the 11 day of August, 2015 to certify which witness my hand and official seal.

Jon-Erik Palmer
Notary Public in and for the State of Texas



Jon-Erik Palmer
Typed or Printed Name of Notary

THIS FORM MUST BE SUBMITTED TO THE OFFICE OF THE CITY CLERK.

DOCUMENTATION AND SUPPORTING MATERIALS FOR COMPLAINT

Mr. Arif Panju is a Member of the City of Austin Historic Landmark Commission. Commissioner Panju was appointed by Council Member Don Zimmerman, and his appointment was approved by the City Council on April 16, 2015, by a vote of 6-2-3. Commissioner Panju, by virtue of his appointment to the Historic Landmark Commission, is a City Official as defined by Sec. 2-7-2(3) of the City of Austin Code.

On July 27, 2015, Commissioner Panju attended the regularly scheduled meeting of the Historic Landmark Commission. The posted agenda for the meeting (**Exhibit "C-1"**) contained approximately 28 agenda items, including Zoning Case No. C14-2014-0014 (Item A.1.), styled as Bluebonnet Hills Historic District. Prior to the meeting, Commissioner Panju executed the Attendance Sheet (**Exhibit "C-2"**), as required by Sec. 2-1-24(B) of the City of Austin Code. The header of the attendance sheet provides the following:

"A board member has a conflict of interest if City Code Chapter 2-7 or Local Government Code Chapter 171 prohibits the board member from taking action on a vote or decision before the board."

"By signing below, I certify that I was in attendance at this meeting and that I meet the residency requirement and certify that I have disclosed whether I have a conflict of interest related to any agenda item, and I agree not to participate in a discussion, deliberation, or vote on an agenda item for which I have a conflict of interest."

Commissioner Panju executed the attendance sheet, under the column stating "If you have **NO** conflict of interest on any agenda item, sign here." (emphasis in original).

Sec. 2-1-24(A) addresses conflicts of interests of City Officials. It provides:

"This Section is cumulative of Chapter 2-7 (Ethics and Financial Disclosure) and Local Government Code Chapter 171 (Regulation of Conflicts of Interest of Officers of Municipalities, Counties, and Certain Other Local Governments). Under this section a board member has a conflict of interest if the City Code or another law prohibits the board member from taking action on a vote or decision before the board.

Sec. 2-7-63(A) provides:

"A City official or employee may not participate in a vote or decision on a matter affecting a natural person, entity, or property in which the official or employee has a substantial interest;"

The term 'substantial interest' with regard to an interest in real property is defined by Sec. 2-7-2(11), as:

"[A]n interest in real property which is an equitable or legal ownership with a market value of \$5,000 or more."

Travis County Appraisal District records indicate Commissioner Panju is the record owner of real property located at 506 Lockhart Drive, Austin, Travis County, Texas (**Exhibit "C-3"**). These records indicate that Commissioner Panju has owned this property since at least February 22, 2013, when a warranty deed identifying Commissioner Panju as the owner was filed in the Travis County Deed Records. These records also indicate Commissioner Panju claims a homestead exemption on this property. The current appraised value of the real property is \$555,406.00. Commissioner Panju acknowledges ownership of the real property located at 506 Lockhart Drive in Section 8 of his Statement of Financial Information, executed by Panju on May 14, 2015 (**Exhibit "C-4"**).

The Historic Landmark Commission agenda for July 27, 2015 included Item A.1., Zoning Case No. C14-2014-0014, styled as Bluebonnet Hills Historic District. The Bluebonnet Hills Historic District is an application for a proposed Local Historic District roughly bounded by Annie Street on the north, East Side Drive on the east, Leland Street on the south, and Brackenridge Street on the west. The Bluebonnet Hills Historic District contains approximately 109 parcels of real property. Included within the proposed Bluebonnet Hill Historic District is the real property located at 506 Lockhart Drive, owned by Commissioner Panju (**Exhibit "C-5"**). Approval of the application by the Council would result in subjecting the parcels, including 506 Lockhart Drive, to additional zoning regulations as a Historic Area Combining District, as described under Sec. 25-2-171 of City Code. Commissioner Panju has been a vociferous opponent of the Bluebonnet Hills Local Historic District since November 2014. He has rallied neighborhood opposition to the proposed Historic District, organized a petition drive against it, and participated in at least five public hearings on the matter before the Historic Landmark Commission and Planning Commission. The petition that he created and circulated for signatures in opposition to the historic district, sign in sheets and minutes of Historic Landmark Commission meetings where he spoke in opposition, flyers he distributed to property owners in the district, and some of his correspondence to the City are attached. (**Exhibit "C-6"**).

Commissioner Panju fully participated in the decisions and votes on July 27, 2015 regarding the Bluebonnet Hills Historic District. As the transcript demonstrates (**Exhibit "C-7"**), Commissioner Panju by his motion 'pulled' or severed Item A.1. from the proposed consent agenda for postponement and separate action. Once the Item was procedurally before the Commission, Commissioner Panju pointedly questioned the Historic Preservation Officer and representatives of the Legal Department regarding the validity of previous actions and votes taken by the Historic Landmark Commission on the matter. After questioning staff, Commissioner Panju then made a motion to affirmatively direct staff to provide a letter to the Mayor and City Council expressing a negative recommendation on the matter (as opposed to the positive recommendation provided by HLC to Council) on behalf of the Commission. The motion was then superseded by a substitute motion by another commissioner. Commissioner Panju then participated in discussions, deliberations, decisions and votes relating to the substitute motion regarding the postponement of the matter, and how a similar directive to staff would be presented to staff when the case is before the Commission on August 24, 2015.

Finally, Secs. 2-1-24(E) and 2-7-26 charges the Ethics Review Commission with jurisdiction over this type of complaint:

“Chapter 2-7, Article 3 (Violation: Complaint and Hearing Procedures) applies to this section, and a sworn complaint alleging a violation may be filed under the procedures of that article. If the Ethics Review Commission determines that a violation of this section has occurred, it shall follow the procedure required by Section 2-7-47 (Prosecution).”

In summary, Commissioner Panju, a City Official, participated in votes and decisions on a matter affecting a property in which he has a substantial interest, in violation of Sec. 2-7-63(A). Complainant provides this sworn complaint and prays that, if the Ethics Review Commission does determine that a violation of Sec. 2-7-63(A) has occurred, and that such violation shall be fully prosecuted.

EXHIBIT C-1



**HISTORIC LANDMARK COMMISSION
JULY 27, 2015 7:00pm
CITY HALL COUNCIL CHAMBERS
301 W 2nd STREET
AUSTIN, TEXAS**

CURRENT BOARD MEMBERS:

_____ <i>Madeline Clites</i>	_____ <i>Emily Reed</i>
_____ <i>Mary Jo Galindo</i>	_____ <i>Blake Tollett</i>
_____ <i>Grace McKenzie</i>	_____ <i>Michelle Trevino</i>
_____ <i>Terri Myers</i>	_____ <i>David Whitworth</i>
_____ <i>Arif Panju</i>	

AGENDA

CALL TO ORDER

1. CITIZEN COMMUNICATION: GENERAL

The first three speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

2. ELECTION OF OFFICERS

3. APPROVAL OF MINUTES

A. June 22, 2015

4. OLD BUSINESS

5. NEW BUSINESS

A. DISCUSSION AND POSSIBLE ACTION ON PROPOSED CHANGES TO THE HISTORIC LANDMARK COMMISSION BY-LAWS

B. APPOINTMENTS TO HISTORIC LANDMARK COMMISSION COMMITTEES

1. Operations Committee
2. Grants Committee
3. Preservation Plan Committee
4. Certificate of Appropriateness Committee

C. APPOINTMENTS TO OTHER BOARDS AND COMMITTEES

1. Downtown Commission Representative
2. Joint Cultural Committee Representative

6. BRIEFINGS: DISCUSSION AND POSSIBLE ACTION.

None

7. PUBLIC HEARINGS**A. DISCUSSION AND ACTION ON APPLICATIONS FOR HISTORIC ZONING, DISCUSSION AND POSSIBLE ACTION ON APPLICATIONS FOR HISTORIC DISTRICT ZONING APPLICATIONS, and REQUESTS TO CONSIDER THE INITIATION OF A HISTORIC ZONING CASE**

1. **C14H-2014-0014 – Staff requests a postponement to August 24, 2015 to allow for a quorum vote on this case.**

Bluebonnet Hills Historic District

Roughly bounded by Annie Street on the north, East Side Drive on the east, Leland Street on the south, and Brackenridge Street on the west., Council District 9

Applicants: Michele Webre, Bluebonnet Hills Historic District Committee

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Review and recommend the entire application with the comments from the Austin Green Builder program, and additional recommended changes to the design standards proposed by the nominating committee in response to citizen input.

NOTE: There is a valid petition against the designation of the district.

2. **C14H-2015-0010**

Yerwood-Simond House

2005 Hamilton Avenue, Council District 1

Applicant: Alyson McGee

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Recommend historic zoning.

3. **C14H-2015-0011**

Pinson-Owens House

901 Dawson Road, Council District 9

Applicant: Historic Landmark Commission

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Staff cannot recommend historic zoning for this property but strongly encourages the neighborhood to consider the designation as a historic district.

4. **C14H-2015-0012**

1000 Lund Street, Council District 5

Applicant: Historic Landmark Commission

City Staff: Beth Johnson, Historic Preservation Office, 974-7801

Staff Recommendation: Recommend historic zoning.

Staff Note: The owner has filed a petition against historic zoning.

5. **C14H-2015-0082**

Rainey House

3941 Balcones Drive, Council District 10

Applicant: Phoebe Allen

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Recommend historic zoning.

6. C14H-2010-0006**Castle Hill Historic District**

Proposal: Modify the District Preservation Plan with regard to the applicability of Article 10 Compatibility Standards to certain properties.

Applicant: Richard Suttle

City Staff: Steve Sadowsky/Jerry Rusthoven, Planning and Zoning Department.

Staff Recommendation: Modify the District Preservation Plan as proposed.

B. DISCUSSION AND ACTION ON APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS**1. C14H-1978-0010 – The applicant requests a postponement to August 24, 2015.****Nalle Building**

409-13 E. 6th Street, Council District 9

Proposal: Rooftop Deck

Applicant: Steve Simon

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

2. C14H-2015-0002**Pine Street Station**

414 Waller Street, Council District 3

Proposal: Relocate the historic portion of the building to a new railroad site in East Austin and remove the historic zoning from the current site.

Applicant: Capital Metropolitan Transit Authority

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Committee Recommendation: Approve the relocation with the recommendation that the building be sited appropriately along the railroad tracks and that the applicant erect an interpretive plaque at the new site detailing the history of the building.

Staff Recommendation: Concurs with the Committee recommendation.

C. REVIEW OF PERMITS IN NATIONAL REGISTER HISTORIC DISTRICTS**1. NRD-2015-0063**

1512 Ethridge Avenue, Council District 9

Proposal: Rebuild of an attached garage and a rear two-story addition.

Applicant: Maria Volpe

City Staff: Beth Johnson, Historic Preservation Office, 974-7801

Staff Recommendation: Release the permit as submitted.

2. NRD-2015-0064

1513 Woodlawn Boulevard, Council District 9

Proposal: New single family two-story building

Applicant: Restructure Studio, PLLC

City Staff: Beth Johnson, Historic Preservation Office, 974-7801

Staff Recommendation: Staff has discussed ways to make changes to the project to make it more in keeping with the architectural character of the

neighborhood and at this time the applicant is unwilling to make changes. Staff encourages the applicant to consider making simple changes to make the property compatible with the Old West Austin National Register Historic District.

3. NRD-2015-0064

1700 Pease Avenue, Council District 9

Proposal: New single family two-story building

Applicant: Risinger Development LLC

City Staff: Beth Johnson, Historic Preservation Office, 974-7801

Staff Recommendation: Release the permit as submitted.

D. DISCUSSION AND POSSIBLE ACTION ON APPLICATIONS FOR DEMOLITION OR RELOCATION

1. HDP-2015-0126 – Postpone to August 24, 2015 at the applicant's request. 1813 Brackenridge Street and 1814 Drake Avenue, Council District 9

Proposal: Demolish a ca. 1909 house at 1813 Brackenridge Street and a ca 1936 house at 1814 Drake Avenue.

Applicant: David West

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Postpone to August 24, 2015 at the applicant's request.

2. HDP-2015-0165 – Postpone to August 24, 2015 at the applicant's request. 2200 (700 W. 22nd Street) and 2204 Rio Grande Street, Council District 9

Proposal: Demolish a ca. 1925 duplex and a ca. 1915 commercial building.

Applicant: Sean O'Brien

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Postpone to August 24, 2015 at the applicant's request.

3. HDP-2015-0396

2938 E. 12th Street, Council District 1

Proposal: Demolish a ca. 1939 house.

Applicant: Goldie Candelas/Art Ramirez

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Release the permit upon completion of a City of Austin Documentation Package.

4. HDP-2015-0401

1904 E. 17th Street, Council District 1

Proposal: Demolish a ca. 1920 house.

Applicant: Metro Studio Homes

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Release the permit upon completion of a City of Austin Documentation Package.

5. HDP-2015-0415

1301 Cedar Avenue, Council District 1

Proposal: Relocate a ca. 1912 house.

Applicant: William Hodge

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Release the permit upon a City of Austin Documentation Package.

6. HDP-2015-0424

6203 Berkman Drive, Council District 1

Proposal: Demolish a ca. 1952 house.

Applicant: Hector Avila

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Release the permit upon completion of a City of Austin Documentation Package.

7. HDP-2015-0467

1613 Canterbury Street, Council District 3

Proposal: Demolish a ca. 1908 house.

Applicant: Lori Chibib

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Release the permit upon completion of a City of Austin Documentation Package.

8. HDP-2015-0492

2507 Bluebonnet Lane, Council District 5

Proposal: Demolish a house of unknown age.

Applicant: Peter Pevoto

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Release the permit upon completion of a City of Austin Documentation Package.

9. HDP-2015-0501

2211 Willow Street, Council District 3

Proposal: Demolish a ca. 1915 house.

Applicant: Marshall Willis

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Release the permit upon completion of a City of Austin Documentation Package.

10. HDP-2015-0508

1205 E. Cesar Chavez Street, Council District 3

Proposal: Demolish a ca 1902 house.

Applicant: Jim Bennett

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Postpone the case to August 24, 2015 to explore the feasibility of restoration – rehabilitation – reconstruction of the missing historic features of the house and the possibility of adaptive re-use.

11. HDP-2015-0530

1113 Robert E. Lee Road, Council District 5

Proposal: Demolish a ca. 1941 house.

Applicant: DAR Construction

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Consider rehabilitation of the house, and relocation over demolition, but release the permit upon completion of a City of Austin Documentation Package.

12. HDP-2015-0532**510 Lockhart Drive, Council District 9**

Proposal: Demolish a ca. 1953 house.

Applicant: Preston Graham

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Encourage the owner to reconsider demolition in favor of constructing an addition and adaptive re-use, but release the permit upon completion of a City of Austin Documentation Package.

13. HDP-2015-0534**4510 Avenue C, Council District 9**

Proposal: Demolish a ca. 1947 house.

Applicant: Katherine Dowdy

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Encourage rehabilitation and adaptive re-use if feasible, then relocation over demolition, but release the permit upon completion of a City of Austin Documentation Package.

14. HDP-2015-0548**1703 Walnut Avenue, Council District 1**

Proposal: Demolish a ca. 1938 house.

Applicant: Pecan Valley Homes

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Encourage relocation over demolition, but release the permit.

15. HDP-2015-0549**1602 Chestnut Avenue, Council District 1**

Proposal: Demolish a house that was moved onto this site in 1963 from an unknown location.

Applicant: Pecan Valley Homes

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Encourage rehabilitation and adaptive re-use if feasible, then relocation over demolition, but release the permit.

16. HDP-2015-0564**516 Lockhart Drive, Council District 9**

Proposal: Demolish a ca. 1938 house.

Applicant: Kelly Lipscomb

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Reconsider the demolition of the house in favor of rehabilitation and adaptive re-use, then relocation over demolition, but release the permit upon completion of a City of Austin Documentation Package.

E. DISCUSSION AND POSSIBLE ACTION ON DEMOLITION BY NEGLECT CASES**1. DBN-2015-0001 – Sebron Sneed House, 1801 Nelms Drive**

Staff Note: Staff has begun reaching out to the owner of the property to establish a dialogue about resolving issues of deterioration on the site and

establishing a preservation plan. No Commission action is required at this point in time.

F. APPLICATION FOR PARTIAL AD VALOREM TAX ABATEMENT FOR APPROVED REHABILITATION WORK IN A LOCALLY-DESIGNATED HISTORIC DISTRICT.

1. LHD-2015-0013

4004 Avenue G (Hyde Park)

Project: Front porch redesign and restoration and reconstruction of historic features on both interior and exterior of the house.

City Staff: Beth Johnson, Historic Preservation Office, 974-7801.

Staff Recommendation: Applicant received a Certificate of Appropriateness for the proposed work at the June 22, 2015 Historic Landmark Commission meeting. Certify the application as eligible.

8. COMMITTEE REPORTS

- A. Certificates of Appropriateness Review Committee**
- B. Operations Committee**
- C. Grants Committee**
- D. Preservation Plan Committee**

9. FUTURE AGENDA ITEMS

ADJOURNMENT

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Please call the Historic Preservation Office, Planning and Zoning Department, at 512-974-2727, for additional information; TTY users route through Relay Texas at 711.

For more information on the Historic Landmark Commission, please contact Steve Sadowsky, City Historic Preservation Officer, at 512-974-6454; Beth Johnson, Deputy Historic Preservation Officer, at 512-974-7801; or Kalan Contreras, Historic Preservation Planner, at 512-974-2727.

EXHIBIT C-2

CITY HALL

301 WEST 2ND STREET

AUSTIN, TEXAS

HISTORIC LANDMARK COMMISSION

Date: July 27, 2015; 7:00 pm

A board member has a conflict of interest if City Code Chapter 2-7 or Local Government Code Chapter 171 prohibits the board member from taking action on a vote or decision before the board.

By signing below, I certify that I was in attendance at this meeting and that I meet the residency requirement and certify that I have disclosed whether I have a conflict of interest related to any agenda item, and I agree not to participate in a discussion, deliberation, or vote on an agenda item for which I have a conflict of interest.

NAME OF BOARD MEMBER	If you have <u>NO</u> conflict of interest on any agenda item, sign here.	If you <u>have a conflict of interest</u> , sign here and identify the agenda item in the next column.	Agenda item number for which you have a conflict of interest.
Madeline Clites	<i>Madeline Clites</i>		
Mary Jo Galindo	<i>Mary Jo Galindo</i>		
Grace McKenzie			
Terri Myers			
Arif Panju	<i>Arif Panju</i>		
Emily Reed	<i>Emily Reed</i>	XXXXXX	XXXXXX
Blake Tollett	<i>Blake Tollett</i>		
Michelle Trevino			
David Whitworth	<i>David Whitworth</i>		

EXHIBIT C-3

← → http://propaccess.traviscad.org/clientdb/Property.as Maps Domestic... Outlook... How de...

File Edit View Favorites Tools Help

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★ TDHCA My First Texas Ho... Folders

Property ID: 283366 Legal Description: LOT 8 BLK 5 BLUE BONNET HILLS
 Geographic ID: 0302020319 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: 506 LOCKHART DR Mapsco: 615N
 TX 78704
 Neighborhood: TRAVIS HEIGHTS Map ID: 030701
 Neighborhood CD: K4000

Owner

Name: PANJU ARIF Owner ID: 1561868
 Mailing Address: 506 LOCKHART DR % Ownership: 100.0000000000%
 AUSTIN, TX 78704

Exemptions: HS

▼ **Values**

(+) Improvement Homesite Value:	+	\$205,406	
(+) Improvement Non-Homesite Value:	+	\$0	
(+) Land Homesite Value:	+	\$350,000	
(+) Land Non-Homesite Value:	+	\$0	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	\$0	\$0
(+) Timber Market Valuation:	+	\$0	\$0
<hr/>			
(=) Market Value:	=	\$555,406	
(-) Ag or Timber Use Value Reduction:	-	\$0	
<hr/>			
(=) Appraised Value:	=	\$555,406	
(-) HS Cap:	-	\$87,906	
<hr/>			
(=) Assessed Value:	=	\$467,500	

► **Taxing Jurisdiction**

► **Improvement / Building**

EXHIBIT C-4

AUSTINTEXAS.GOV

AIRPORT

LIBRARY

AUSTIN ENERGY

AUSTIN WATER

CONVENTION

CENTER

VISITORS BUREAU

OPEN GOVERNMENT

[\[Print\]](#)[\[Close Window\]](#)

STATEMENT OF FINANCIAL INFORMATION

This Statement is made for the reporting period: **January 1 through December 31, 2014.**

FINANCIAL DISCLOSURE

Board Name: Historic Landmark Commission

Submit Date: 14-May-2015

Personal Information

Panju, Arif

506 Lockhart Drive

Austin, TX 78704

Attorney

Spouse Or Domestic Partner's Information

Not Applicable

- 1. List all sources of occupational income that exceeded 10% of your gross income or \$5,000 in salary, bonuses, commissions or professional fees, or \$20,000 in payment for goods, products or non-professional services per source.**

Name of employer or source of income	Business address	Nature of occupation or business
1 Institute for Justice	816 Congress Avenue, Ste 960, Austin, TX 78701	Public Interest Law Firm

- 2. If you are a self-employed solo practitioner or if you had at least 5% interest in a partnership, professional corporation or other entity through which you do business, list the names and addresses of clients or customers from whom you or this partnership, professional corporation, or entity received 10% or more of gross income or \$5,000 in salary, bonuses, commissions or professional fees; or \$20,000 in payment for goods, products or non-professional services during the reporting period.**

Name of client or customer	Address
N/A	

- 3. List all sources of income which exceeded either \$5,000 or were in excess of 10% of your gross income received from interest, dividends, royalties, rents, trust disbursements or other non-occupational sources.**

Name of source	Nature of income
----------------	------------------

N/A

4. Identify any source (person, business entity or other organization) of a gift of any money or other thing of value exceeding \$100 or identify any source who gave you a series of gifts the total value of which exceeds \$100. You need not report campaign contributions which are reported as required by other law and you need not report gifts received from the following relatives: Spouse, Children, Children-in-law, Parents, Parents-in-Law, Grandchildren, Grandchildren-in-Law, Grandparents, Grandparents-in-Law, Brothers, Brothers-in-Law, Sisters, Sisters-in-Law, Uncles, Uncles-in-Law, Aunts, Aunts-in-Law, Nephews, Nephews-in-Law, Nieces, Nieces-in-Law, First Cousins, or First Cousins-in-Law.

Name of source of gift

N/A

5. List the names of any corporation, partnership, limited partnership, or other entity in which you held, owned, acquired, or sold stock, or any other equity ownership having a value exceeding \$5,000 or equivalent to 5% or more of the stock or equity in the entity, at any time during the reporting period.

Name of company or entity

- 1 Google
- 2 Bank of America
- 3 Allot Communications

6. List and describe all bonds, notes and other commercial paper which you held, owned, acquired or sold at any time during the reporting period if the combined face value of the bonds, notes and commercial paper exceeded \$5,000.

Description of commercial paper

N/A

7. List all other income or revenue in excess of \$5,000 per source.

Name of source

N/A

8. List and describe all real property in which you hold any legal or beneficial interest including real property for which you have entered a contract for sale. The description should be sufficient to locate the property, and include the street address, if any, and the present use of the property.

Street address of property	Description of property	Present use of property
1 506 Lockhart Drive	Residential home	Primary residence

9. List and describe all real property held, owned, acquired or sold, or under a contract for sale by a corporation, partnership, limited partnership, professional corporation or other entity in which you own or control at least a 5% interest. The description should be sufficient to locate the property and include a street address, if any, and the present use of the property.

Street address of property

Description of property

Present use of property

N/A

10. List all loans and extensions of credit in excess of \$5,000 on which you are the lender or creditor, including the name of the debtor and the rate of interest, if any.

Name of obligee

Rate of interest, if any

N/A

11. List all loans or transactions in excess of \$5,000 on which you are a guarantor or co-signer including the names of the borrower and lender.

Name of obligee/lender

Rate of interest, if any

N/A

12. List all loans, debts, and other financial liabilities you have which are in excess of \$5,000 which are presently outstanding or which existed at any time during the reporting period.

Name of lender/creditor/obligee

Rate of interest, if any

Date obligation was incurred

1 Wells Fargo

3.625

02/22/2013

2 Toyota Financial

5.5

04/01/2015

3 Fed Loan Servicing

6.5

2009

4 Discover

N/A

12/09/2014

List all loans, debts, and other financial liabilities in excess of \$5,000 of any corporation, partnership, limited partnership, professional corporation or other entity in which you own or control at least a 5% interest which are presently outstanding or which existed at any time during the reporting period.

Name of lender/creditor/obligee

Rate of interest, if any

Date obligation was incurred

N/A

13. List all boards of directors of which you are a member and the offices or executive positions which you hold in corporations, partnerships, limited partnerships, professional corporations, or other entities, including non-business entities. (Do not include positions on corporations or other entities owned by the City of Austin or created by the City Council.)

Name of organization

Position held

1 Freedom of Information Foundation of Texas

director

Electronic Certification by Affidavit

I swear or affirm, under penalty of perjury, that the facts stated in the above Statement of Financial Information are true to the best of my knowledge or belief and the Statement fully shows all information required to be reported by me pursuant to section 2-7-72 of the City Code for the reporting period indicated.

This electronically submitted Statement of Financial Information is considered to be under oath by the person required to file the Statement regardless of the absence of or defect on the affidavit of verification, including the signature.

I, Panju, Arif, hereby swear or affirm that I have completed the Statement of Financial Information on May 14, 2015.

EXHIBIT C-5

BLUEBONNET HILLS HISTORIC DISTRICT

Exhibit C-5

Item # 41

TABLE OF CONTRIBUTING / NON-CONTRIBUTING STRUCTURES

PROPERTY ADDRESS	LEGAL DESCRIPTION	CONTRIBUTING (C) or NON-CONTRIBUTING (NC)
501 E. Annie Street	Lot 1, Block 9, Bluebonnet Hills	C
503 E. Annie Street	Lot 2, Block 9, Bluebonnet Hills	C
505 E. Annie Street	Lot 3, Block 9, Bluebonnet Hills	C
507 E. Annie Street	Lot 4, Block 9, Bluebonnet Hills	NC
509 E. Annie Street	Lot 5, Block 9, Bluebonnet Hills	NC
511 E. Annie Street	Lot 6, Block 9, Bluebonnet Hills	NC
513 E. Annie Street	Lot 7, Block 9, Bluebonnet Hills	C
515 E. Annie Street	Lot 8, Block 9, Bluebonnet Hills	C
517 E. Annie Street	Lot 9, Block 9, Bluebonnet Hills	C
1913 Brackenridge Street	North 41.69 feet average of Lots 1 and 2, Block 1, Bluebonnet Hills	C
1915 Brackenridge Street	Lot 1, less the north 39.87 feet, less the south 68 feet of the east 10 feet plus triangle of Lot 2, Block 1, Bluebonnet Hills	NC
1802 East Side Drive	Lot 10, Block 9, Bluebonnet Hills	NC
1900 East Side Drive	Lots 19 and 21, Block 5, Bluebonnet Hills	NC
1910 East Side Drive	Lot 17, Block 4, Bluebonnet Hills	NC
1912 East Side Drive	Lot 18, Block 4, Bluebonnet Hills	C
1914 East Side Drive	Lot 19, Block 4, Bluebonnet Hills	NC
1916 East Side Drive	Lot 20, Block 4, Bluebonnet Hills	NC
1918 East Side Drive	Lot 21, Block 4, Bluebonnet Hills	NC
1920 East Side Drive	Lot 22, Block 4, Bluebonnet Hills	C
1922 East Side Drive	Lot 23, Block 4, Bluebonnet Hills	C

BLUEBONNET HILLS HISTORIC DISTRICT

TABLE OF CONTRIBUTING / NON-CONTRIBUTING STRUCTURES

PROPERTY ADDRESS	LEGAL DESCRIPTION	CONTRIBUTING (C) or NON-CONTRIBUTING (NC)
2000 East Side Drive	Lot 19, Block 3, Bluebonnet Hills	C
2002 East Side Drive	Lot 20 and the north 5 feet of Lot 21, Block 3, Bluebonnet Hills	C
2004 East Side Drive	Lot 22 and the south 50 feet of Lot 21, Block 3, Bluebonnet Hills	NC
300 Leland Street	<i>See 301 Terrace Drive</i>	NC
308 Leland Street	The south 62.79 feet average of Lot 5, Block 2, Bluebonnet Hills	C
310 Leland Street	<i>See 411 Terrace Drive</i>	C
500 Leland Street	Lot 2, Block 3, Bluebonnet Hills	NC
502 Leland Street	Lot 4, Block 3, Bluebonnet Hills	NC
504 Leland Street	Lot 6, Block 3, Bluebonnet Hills	C
506 Leland Street	Lot 8, Block 3, Bluebonnet Hills	C
508 Leland Street	Lot 10, Block 3, Bluebonnet Hills	C
510 Leland Street	Lot 12, Block 3, Bluebonnet Hills	C
512 Leland Street	Lot 14, Block 3, Bluebonnet Hills	C
514 Leland Street	Lot 16, Block 3, Bluebonnet Hills	C
516 Leland Street	Lot 18, Block 3, Bluebonnet Hills	C
500 Lockhart Drive	<i>The south 92.6 feet average of Lot 2, Block 5, Bluebonnet Hills</i>	C
501 Lockhart Drive	Lot 1, Block 4, Bluebonnet Hills	C
502 Lockhart Drive	Lot 4, Block 5, Bluebonnet Hills	C
503 Lockhart Drive	Lot 3, Block 4, Bluebonnet Hills	C
504 Lockhart Drive	Lot 6, Block 5, Bluebonnet Hills	C

BLUEBONNET HILLS HISTORIC DISTRICT

TABLE OF CONTRIBUTING / NON-CONTRIBUTING STRUCTURES

PROPERTY ADDRESS	LEGAL DESCRIPTION	CONTRIBUTING (C) or NON-CONTRIBUTING (NC)
505 Lockhart Drive	Lot 5, Block 4, Bluebonnet Hills	C
506 Lockhart Drive	Lot 8, Block 5, Bluebonnet Hills	C
507 Lockhart Drive	Lot 7, Block 4, Bluebonnet Hills	C
508 Lockhart Drive	Lot 10, Block 5, Bluebonnet Hills	C
509 Lockhart Drive	Lot 9, block 4, Bluebonnet Hills	C
510 Lockhart Drive	Lot 12, Block 5, Bluebonnet Hills	C
511 Lockhart Drive	Lot 11, Block 4, Bluebonnet Hills	C
513 Lockhart Drive	Lot 13, Block 4, Bluebonnet Hills	NC
514 Lockhart Drive	Lot 14, Block 5, Bluebonnet Hills	C
515 Lockhart Drive	Lot 15, Block 4, Bluebonnet Hills	C
516 Lockhart Drive	Lot 16, Block 5, Bluebonnet Hills	C
518 Lockhart Drive	Lot 18, Block 5, Bluebonnet Hills	C
520 Lockhart Drive	Lot 20, Block 5, Bluebonnet Hills	C
522 Lockhart Drive	Lot 22, Block 5, Bluebonnet Hills	C
500 E. Mary Street	Lot 20 and the west 10.7 square feet triangle of Lot 19, Block 9, Bluebonnet Hills	C
501 E. Mary Street	Lot 1, Block 5, Bluebonnet Hills	C
502 E. Mary Street	Lot 19, less the west 10.7 square foot triangle, Block 9, Bluebonnet Hills	C
503 E. Mary Street	Lot 3, Block 5, Bluebonnet Hills	C
504 E. Mary Street	Lot 18, Block 9, Bluebonnet Hills	C
505 E. Mary Street	Lot 5, Block 5, Bluebonnet Hills	C
506 E. Mary Street	Lot 17, Block 9, Bluebonnet Hills	C

BLUEBONNET HILLS HISTORIC DISTRICT

TABLE OF CONTRIBUTING / NON-CONTRIBUTING STRUCTURES

PROPERTY ADDRESS	LEGAL DESCRIPTION	CONTRIBUTING (C) or NON-CONTRIBUTING (NC)
507 E. Mary Street	Lot 7, Block 5, Bluebonnet Hills	C
508 E. Mary Street	Lot 14, Block 9, Bluebonnet Hills	C
509 E. Mary Street	Lot 9, Block 5, Bluebonnet Hills	C
510 E. Mary Street	Lot 15, Block 9, Bluebonnet Hills	NC
511 E. Mary Street	Lot 11, Block 5, Bluebonnet Hills	C
512 E. Mary Street	Lot 16, Block 9, Bluebonnet Hills	C
513 E. Mary Street	Lot 13, Block 5, Bluebonnet Hills	C
514 E. Mary Street	Lot 13, Block 9, Bluebonnet Hills	C
515 E. Mary Street	Lot 15, Block 5, Bluebonnet Hills	C
516 E. Mary Street	Lot 12, Block 9, Bluebonnet Hills	C
517 E. Mary Street	Lot 17, Block 5, Bluebonnet Hills	C
518 E. Mary Street	Lot 11, Block 9, Bluebonnet Hills	NC
519 E. Mary Street	See 1900 East Side Drive	C
1904 Newning Avenue	Lot 15, Block 1, Bluebonnet Hills	C
1906 Newning Avenue	Lot 14, Block 1, Bluebonnet Hills	C
1907 Newning Avenue	The north 37.65 feet average of Lot 2, Block 5, Bluebonnet Hills	NC
1908 Newning Avenue	Lot 13, Block 1, Bluebonnet Hills	C
1910-A Newning Avenue	Lot 12, Block 1, Bluebonnet Hills	NC
1912 Newning Avenue	Lot 11, Block 1, Bluebonnet Hills	NC
1914 Newning Avenue	Lot 10, Block 1, Bluebonnet Hills	C
1918 Newning Avenue	Lot 8, Block 1, Bluebonnet Hills	C
1920 Newning Avenue	Lot 7, Block 1, Bluebonnet Hills	C

BLUEBONNET HILLS HISTORIC DISTRICT

TABLE OF CONTRIBUTING / NON-CONTRIBUTING STRUCTURES

PROPERTY ADDRESS	LEGAL DESCRIPTION	CONTRIBUTING (C) or NON-CONTRIBUTING (NC)
1924 Newning Avenue	Lots 5 and 6, Block 1, Bluebonnet Hills and the south 62.2 feet of Lot 8, Block 5-C, Newning Warners Subdivision	C
1926 Newning Avenue	See 1924 Newning Avenue	C
1928 Newning Avenue	Lot 4, Block 1, Bluebonnet Hills	C
2003 Newning Avenue	See 301 Terrace Drive	C
301 Terrace Drive	Lot 1, Block 2, Bluebonnet Hills	C
302 Terrace Drive	Lot 2, less the north 64.76 feet plus the south 68 feet of the east 10 feet of Lot 1, Block 1, Bluebonnet Hills	C
303 Terrace Drive	Lot 2, Block 2, Bluebonnet Hills	C
305 Terrace Drive	Lot 3, Block 2, Bluebonnet Hills	C
306-A Terrace Drive	Unit A, 306 Terrace Drive Condominiums, plus 50% interest in common area	NC
306-B Terrace Drive	Unit B, 306 Terrace Drive Condominiums, plus 50% interest in common area	NC
308-A Terrace Drive	Unit A, Building 1, 308 Terrace Drive Condominiums plus 50% interest in common area	NC
308-B Terrace Drive	Unit B, Building 2, 308 Terrace Drive Condominiums, plus 50% interest in common area	NC
310-A Terrace Drive	Unit A, Building 1, 310 Terrace Drive Condominiums, plus 50% interest in common area	NC
310-B Terrace Drive	Unit B, Building 1, 310 Terrace Drive Condominiums, plus 50% interest in	NC

BLUEBONNET HILLS HISTORIC DISTRICT

TABLE OF CONTRIBUTING / NON-CONTRIBUTING STRUCTURES

PROPERTY ADDRESS	LEGAL DESCRIPTION	CONTRIBUTING (C) or NON-CONTRIBUTING (NC)
	common area	
407 Terrace Drive	Lot 4, Block 2, Bluebonnet Hills	NC
409 Terrace Drive	The north 84.5 feet average of Lot 5, , Block 2, Bluebonnet Hills	C
411 Terrace Drive	Lot 6, Block 2, Bluebonnet Hills	C
500 Terrace Drive	Lot 2, Block 4, Bluebonnet Hills	NC
501 Terrace Drive	Lot 1, Block 3, bluebonnet Hills	C
502 Terrace Drive	Lot 4, Block 4, Bluebonnet Hills	C
503 Terrace Drive	Lot 3, Block 3, Bluebonnet Hills	C
504 Terrace Drive	Lot 6, Block 4, Bluebonnet Hills	C
505 Terrace Drive	Lot 5, Block 3, Bluebonnet Hills	NC
506 Terrace Drive	Lot 8, Block 4, Bluebonnet Hills	C
507 Terrace Drive	Lot 7, Block 3, Bluebonnet Hills	C
508 Terrace Drive	Lot 10, Block 4, Bluebonnet Hills	NC
509 Terrace Drive	Lot 9, Block 3, Bluebonnet Hills	C
510 Terrace Drive	Lot 12, Block 4, Bluebonnet Hills	C
511 Terrace Drive	Lot 11, Block 3, Bluebonnet Hills	C
512 Terrace Drive	Lot 14, less the east 2 feet, Block 4, Bluebonnet Hills	C
513 Terrace Drive	Lot 13, Block 3, Bluebonnet Hills	C
514 Terrace Drive	Lot 16, Block 4, Bluebonnet Hills	C
515 Terrace Drive	Lot 15, Block 3, Bluebonnet Hills	NC
516 Terrace Drive	See 1922 East Side Drive	NC
517 Terrace Drive	Lot 17, Block 3, Bluebonnet Hills	C

Property ID 283366
506 Lockhart Dr



CONTRIBUTING



Description

Date of Construction	1931	Roof Type	Front Gable	Porch Railings	Square Wood
Source	City Directories	Roof Materials	Metal	Outbuildings	1 Story Detached Garage, Frame, Historic
Stylistic Influences	Craftsman	Windows	Wood Double Hung, Steel Casement, Wood Screens	Landscape Features	Brick planters
Historic Use	Dwelling, single	Door Features	Glazing, Not Original	Moved	Has Not Moved
Current Use	Dwelling, single	Porch Type	Partial Width, Independent	Integrity	Front porch rebuilt. Front door replaced. Porch floor is terracotta tile. Steel casement windows on side.
Stories	1	Porch Roof Types	Gabled		
Plan	Square or rectangular	Porch Supports	Square Full Height Wood		
Foundation	Pier-and-Beam				
Exterior Materials	Asbestos				

Travis Central Appraisal District Data

Map Key # / Property ID	283366	Site	506 LOCKHART DR	Addr2	506 LOCKHART DR
Geo ID	302020319	Site Zip	78704	City	AUSTIN
Submission Code	S01528	Legal Description	LOT 8 BLK 5 BLUE BONNET HILLS	State	TX
Submission	BLUE BONNET HILLS	Owner Name	PANJU ARIF	Zip	78704
Legal Acres	0.1414				
Main Area SF	1440				

Historic District Information

Contributing to Local Historic District	Yes	Surveyors	Preservation Center, Teri Myers, 823 Harris Avenue, Austin, TX 78705	Other Researchers	Josh Conrad, Emily Reed, 805 1/2 W. 18th St., Austin, TX 78701
Justification for Contributing Status	Moderate Alterations, doesn't detract from historical character	Evaluator of Contributing Status			
		Survey Date	1/14/2008		

I, _____, owner of, LOT 8 BLK 5 BLUE BONNET HILLS hereby state that I have reviewed the application for the Blue Bonnet Hills Local Historic District.

☐ I DO support the application for local historic district zoning designation.

Signature _____

☐ I DO NOT support the application for local historic district zoning designation.

Date _____

EXHIBIT C-6

Petition

For Property Owners within the Proposed Local Historic District

Date: 15 December 2014




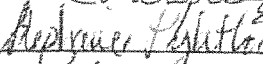


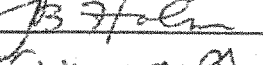
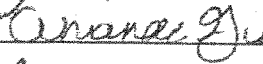
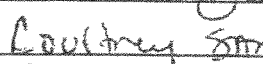









File Number: C14H-2014-0014

Project: Bluebonnet Hills Local Historic District

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than one which excludes "HD" (Historic District) from its designation.

We believe that the proposed Local Historic District is neither in the best interest of area property owners, nor is it the appropriate way to protect and promote our family friendly neighborhood.

Signature	Printed Name	Address
12/15/14 	Arif Panju	506 Lockhart Drive
12/15/14 	Pratibha Shenoy & Glen Ford	510 Lockhart Dr.
12/15/14 	Lee Vasquez	508 Lockhart Dr.
	Stephanie Lightbody	1907 Newring Ave 78704
	Kelly Gascumb	516 Lockhart Dr. Austin, TX
	JOE HOLM	512 TERRACE DR AUSTIN 78704
	Amanda Gisko	514 Lockhart Dr. Austin 78704
	Courtney Samus	518 Lockhart Dr. Austin, 78704
	Courtney Samus	520 Lockhart Dr. Austin 78704
12/15/14 	Lawrence McGuire	1912 EASTSIDE DRIVE
12/15/14 	Kim FAGERSTROM	501 Lockhart Dr 78704
	Lisa Rice	303 Terrace Dr 04
	Rich Hollas	306 Terrace Dr #A
	Nancy Middleton	308 Terrace Dr
	Ben Jarvis	509 Lockhart Dr.
	Valerie D. Castillo	510 Terrace Dr 78704
	David Boies	511 Terrace Dr 04
	Rama Perucci	511 Terrace Dr 04

proposed Bluebonnet Hills L.H.D. not in best interest of area property owners, page 2

Object to L.H.D. rezoning.

	Signature	Printed Name	Address
24		DANIEL M. GREENLEAF	515 Lockhart Dr. Austin, TX 78704
24		ELIDA PAULSON	506 TERRACE, AUSTIN 78704
1/24		ROBERT M. BUCKNER	507 TERRACE DR
1/24		JAMES MARTIN	505 Terrace Drive
1/24		MICHELE WHITE	505 Terrace Dr.
1/24		DAN GIARRATANO	513 Lockhart Dr
1/24		LUCY R. DUBOSE	1910 Eastside Dr. 78704
1/25		TERRY J. DUBOSE	1910 Eastside Dr. 78704
1/25		DIXIE VAN NORT	502 Lockhart Dr.
1/25		RYAN JOHNSON	1914 Newning Ave 78704
1/25		CRAG GRUND	1922 NANNING AVENUE
1/25		DEBORAH FLANAGAN	517 Terrace Dr. 78704
1/26		DONATO RUEDAS	1900 East Side Dr. 78704
1/26		CHRISTA BLACKWOOD	(ALSO 519 E. MARY) 78704
1/26/15	CB	CHRISTA BLACKWOOD	1908 Newning Ave 78704
↓		PHIL BENTLEY	516 TERRACE DR
		PHIL BENTLEY	1922 EAST SIDE DR



HISTORIC LANDMARK COMMISSION
Monday, November 17, 2014 – 7:00 P.M.
REGULAR MEETING
City Council Chambers, City Hall
301 W. 2nd Street
Austin, Texas

CURRENT BOARD MEMBERS:

____ *Laurie Limbacher, Chair*
 X *Andrea Roberts*
 ____ *Dan Leary*
 X *Mary Jo Galindo*

____ *John Rosato, Vice-Chair*
 X *Leslie Wolfenden Guidry*
 X *Terri Myers*

Historic Landmark Commission
MINUTES

REGULAR MEETING
Monday, November 17, 2014

The Historic Landmark Commission convened in a regular hearing on Monday, November 17, 2014 at City Council Chambers, 301 W. 2nd Street, in Austin, Texas.

Commissioner Mary Jo Galindo called the public hearing to order at 7:12 p.m.

Commission Members in Attendance:

Commissioners Leslie Wolfenden-Guidry, Andrea Roberts, Mary Jo Galindo, and Terri Myers

Commission Members absent: *Commissioners Laurie Limbacher, Dan Leary, Andrea Roberts, and John Rosato*

Staff in Attendance: *Steve Sadowsky and Kalan Contreras*

I. CITIZEN COMMUNICATION: GENERAL

The first three speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

Louisa Brinsmade and Bruce Sheehan spoke in support of historic designation for the Stasswender family compound at 1306 Waller St., 811 E 6th St., and 807 E 16th St. Commissioner Terri Myers will bring forth a report on the homes at the next meeting.

3. **C14H-2014-0014**

Bluebonnet Hills Local Historic District

Roughly bounded by Annie Street on the north, East Side Drive on the east, Leland Street on the south, and Brackenridge Street on the west.

Applicants: Michele Webre, Bluebonnet Hills Historic District Committee

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Recommend historic district zoning.

DISCUSSION OF POSTPONEMENT: Arif Panju spoke in opposition to historic zoning, requesting postponement of the case. Michele Webre spoke in support of the historic zoning hearing and against postponement of the case. Candelario Moreno spoke in opposition to historic zoning. Bob Furman spoke in favor of the historic zoning hearing and in opposition to postponement. Russell Frasier spoke in favor of the historic zoning hearing and in opposition to postponement.

MOTION: Proceed with the public hearing on a motion by Commissioner Myers. Commissioner Roberts seconded the motion; vote 5-0.

Michelle Reed, Katie Gallagher, Caleb Brewer, Jane Downer, Natalie Martinez, Brent Hunter, Linda Chien, Carol Grimes, Emily Reed, and Michele Webre spoke in favor of local historic district zoning. Arif Panju, Miriam Panju, and Candelario Moreno spoke in opposition to historic zoning. Kate Singleton asked for staff clarification on routine maintenance procedures and spoke in rebuttal.

The public hearing was closed on a motion by Commissioner Wolfenden. Commissioner Myers seconded the motion; vote: 5-0.

MOTION: Recommend Blue Bonnet Hills as a Local Historic District in accordance with staff recommendation on a motion by Commissioner Myers. Commissioner Wolfenden-Guidry seconded the motion; vote: 5-0.

4. **C14H-2014-0015**

R.W. and Ida Mae Gissell House

513 E. Annie Street

Applicant: Brent Hunter, owner

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Recommend historic zoning.

Brent Hunter spoke in favor of historic zoning. There were no speakers in opposition. The public hearing was closed on a motion by Commissioner Myers. Commissioner Wolfenden-Guidry seconded the motion; vote: 5-0.

MOTION: Recommend historic zoning in accordance with staff recommendation on a motion by Commissioner Wolfenden-Guidry. Commissioner Roberts seconded the motion; vote: 5-0.



HISTORIC LANDMARK COMMISSION
 Monday, November 17, 2014 – 7:00 P.M.
 REGULAR MEETING
 City Council Chambers, City Hall
 301 W. 2nd Street
 Austin, Texas

CITIZEN SIGN-IN SHEET

I. CITIZEN COMMUNICATION: GENERAL

The first three speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

The first three (3) speakers signed up to speak will each be allowed four (4) minutes to address their concerns.

Topic	Name	Address	Phone
Suede Hill Neighborhood	Louisa Brinsmade	1000 E 15 Austin 78702	512-352-9507
Suede Hill Stagswander	Bruce Sheehan	903 E. 14th St. 78702	512-653-3785

3. C14H-2014-0014

Bluebonnet Hills Local Historic District

Roughly bounded by Annie Street on the north, East Side Drive on the east, Leland Street on the south, and Brackenridge Street on the west.

Applicants: Michele Webre, Bluebonnet Hills Historic District Committee

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Recommend historic district zoning.

Historic zoning	Name	Address	Phone#
In Favor	Donna Morrow	504 Terrace Dr	512 442 3669
In Favor	Jane Downer	517 E Mary St	512 443 6289
In Favor	Michael Downer	517 E Mary St	512 294 9385
In Favor	Russell Frasier	527 Lockhart	512 447 2284
In Favor	Sally Frasier	"	"
In Favor	MICHELE WEBRE	511 LOCKHART DR	512-422-1262
In Favor	Christina Willingham	503 Terrace Dr	512-669-0406
In Favor	Betty Brewer	1406 Newning Ave 04	512-443-1376
In Favor	Brian Brewer	1406 Newning Ave	512-443-1376
In Favor	Brent Hunter	513 E. Anne St	512 461 7646
In Favor	Sarah Campbell	1201 Woodland Ave	512 638 9255
In Favor	Patricia Simpson	500 Chicon	512 474 3198
In Favor	Pinetard		
Opposed	CAUDEARDO MORENO	514 LELAND ST	512-507-7822
Opposed	Arif Raju	506 Lockhart Dr.	512-659-6286
Opposed	Margam Nazari	506 Lockhart Dr.	210-315-5796
Opposed	JOSEPH CARTER	2205 W. 11th St	512-472
Opposed	Bob Ferman	509 Terrace Dr.	413 355 8644
Opposed	IAN REDDY	1924 NEWNING ST 78704	512 743 2958
Opposed	Barbara Holthues	516 Terrace	512 442 3602
Opposed	Michele White	505 Terrace	512 809 3808
Opposed	James Martin	505 Terrace	506 739 346
Opposed	LARRY COKER	2301 W 11th	512 196 5634
Opposed	REJINA THOMAS	414 WALTON ST	512-496-3269
Opposed	ELIZABETH BURKE	" " "	436-5302
Opposed	PAM. BOOTHON	" " "	536-5302
Opposed	Carmelo Otero	2004 East Side Dr.	512-816-1127

Uncle
IN FAVOR
NPAUSK

→ In Favor Tere O'Connell 1405 W. 10th 512 751 1374

In Favor Greg Maksymowicz 2002 East Side 512-442-7238

In Favor David Grissom 516 LELAND ST 512-656-9251

In Favor Angela Reed 1924 Newning Ave 512-653-6393

In FAVOR Melanie Martinez 1214 Newning 512-294-7243

#3 Cont'd

- IN FAVOR: KATHY HENLEY: 409 Terrace Dr : 512-272-9191
IN FAVOR: ROBERT W. GEE; 302 TERRACE DRIVE 512-415-7909
IN FAVOR: MICHAEL SCHWARTZ 308 LEAND 512-272-9191
IN FAVOR: James Bilodeau, 502 E. Mary St. 917 328 3557
IN FAVOR: Casey Gallagher, 1112 Gillette Pl. 512-584-0404
IN FAVOR: Carolyn Grimes 4009 Ave G 512-426-3557
IN FAVOR: JOHN CABIYA 503 TERRACE DR 512-436-4633



HISTORIC LANDMARK COMMISSION
Monday, January 26, 2015 – 7:00 P.M.
REGULAR MEETING
City Council Chambers, City Hall
301 W. 2nd Street
Austin, Texas

CURRENT BOARD MEMBERS:

☒ *Laurie Limbacher, Chair*
☒ *Andrea Roberts*
☒ *Dan Leary*
☒ *Mary Jo Galindo*

☒ *John Rosato, Vice-Chair*
☒ *Leslie Wolfenden Guidry*
☐ *Terri Myers*

AGENDA

CALL TO ORDER

I. CITIZEN COMMUNICATION: GENERAL

The first three speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

Arif Panju spoke to request clarification and reform of the public notification process.

II. APPROVAL OF MINUTES

1. December 15, 2014

MOTION: Approve the application per passage of the consent agenda on a motion by Commissioner Leary. Commissioner Rosato seconded the motion; vote: 6-0.

III. BRIEFINGS

None

IV. PUBLIC HEARINGS

A. DISCUSSION AND ACTION ON APPLICATIONS FOR HISTORIC ZONING, DISCUSSION AND POSSIBLE ACTION ON APPLICATIONS FOR HISTORIC DISTRICT ZONING APPLICATIONS, and REQUESTS TO CONSIDER THE INITIATION OF A HISTORIC ZONING CASE

1. Un-numbered

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454
Staff Recommendation: Postpone to February 23, 2015 at the applicant's request.

MOTION: Postpone the public hearing to February 23, 2015 per the consent postponement agenda on a motion by Commissioner Galindo. Commissioner Wolfenden seconded the motion; vote: 6-0.

4. C14H-2014-0014

Bluebonnet Hills Local Historic District

Roughly bounded by Annie Street on the north, East Side Drive on the east, Leland Street on the south, and Brackenridge Street on the west.

Applicants: Michele Webre, Bluebonnet Hills Historic District Committee

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Recommend historic district zoning.

Angela Reed, Carolyn Grimes, and Alyson McGee spoke in support of historic zoning. Arif Panju, Michelle White, Glenn Ford, and Janel Jefferson spoke in opposition to historic zoning. Brent Hunter spoke in support of historic zoning and provided clarifying comments to Panju, White, Ford, and Jefferson. The public hearing was closed on a motion by Commissioner Galindo. Commissioner Wolfenden seconded the motion; vote: 6-0.

MOTION: Recommend historic zoning on a motion by Commissioner Galindo. Commissioner Roberts seconded the motion. Vote: 5-1; Commissioner Leary declined to vote.

B. DISCUSSION AND ACTION ON APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS

1. C14H-1978-0035 – Jacoby-Pope Building

200 E. 6th Street

Proposal: Signage for Eureka!

Applicant: Texas Custom Signs

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Committee Recommendation: Not reviewed

Staff Recommendation: Approve for size and placement, recommend an alternative lighting plan that does not involve internal illumination of the cabinet.

The public hearing was closed on a motion by Commissioner Leary. Commissioner Galindo seconded; vote: 6-0.

MOTION: Refer the application to the Certificate of Appropriateness Committee and suggest that the new design be more consistent with district standards on a motion by Commissioner Wolfenden. Commissioner Leary seconded the motion; vote: 6-0.



HISTORIC LANDMARK COMMISSION
Monday, January 26, 2015 – 7:00 P.M.
REGULAR MEETING
City Council Chambers, City Hall
301 W. 2nd Street
Austin, Texas

PLEASE SIGN IN IF YOU WISH TO SPEAK

I. CITIZEN COMMUNICATION: GENERAL

The first three speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

<u>Topic</u>	<u>Name</u>	<u>Address</u>	<u>Phone</u>
Conflicts of Interest Lack of Transparency	Arif Panju, Esq.	506 Lockhart Dr.	512-659-6286

Bluebonnet Hills Local Historic District

Applicants: Michele Webre, Bluebonnet Hills Historic District Committee

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Recommend historic district zoning.

[illegible]



HISTORIC LANDMARK COMMISSION
Monday, January 26, 2015 – 7:00 P.M.
REGULAR MEETING
City Council Chambers, City Hall
301 W. 2nd Street
Austin, Texas

CURRENT BOARD MEMBERS:

☒ *Laurie Limbacher, Chair*
☒ *Andrea Roberts*
☒ *Dan Leary*
☒ *Mary Jo Galindo*

☒ *John Rosato, Vice-Chair*
☒ *Leslie Wolfenden Guidry*
☐ *Terri Myers*

AGENDA

CALL TO ORDER

I. CITIZEN COMMUNICATION: GENERAL

The first three speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

Arif Panju spoke to request clarification and reform of the public notification process.

II. APPROVAL OF MINUTES

1. December 15, 2014

MOTION: Approve the application per passage of the consent agenda on a motion by Commissioner Leary. Commissioner Rosato seconded the motion; vote: 6-0.

III. BRIEFINGS

None

IV. PUBLIC HEARINGS

A. DISCUSSION AND ACTION ON APPLICATIONS FOR HISTORIC ZONING, DISCUSSION AND POSSIBLE ACTION ON APPLICATIONS FOR HISTORIC DISTRICT ZONING APPLICATIONS, and REQUESTS TO CONSIDER THE INITIATION OF A HISTORIC ZONING CASE

1. Un-numbered

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454
Staff Recommendation: Postpone to February 23, 2015 at the applicant's request.

MOTION: Postpone the public hearing to February 23, 2015 per the consent postponement agenda on a motion by Commissioner Galindo. Commissioner Wolfenden seconded the motion; vote: 6-0.

4. C14H-2014-0014

Bluebonnet Hills Local Historic District

Roughly bounded by Annie Street on the north, East Side Drive on the east, Leland Street on the south, and Brackenridge Street on the west.

Applicants: Michele Webre, Bluebonnet Hills Historic District Committee

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Recommend historic district zoning.

Angela Reed, Carolyn Grimes, and Alyson McGee spoke in support of historic zoning. Arif Panju, Michelle White, Glenn Ford, and Janel Jefferson spoke in opposition to historic zoning. Brent Hunter spoke in support of historic zoning and provided clarifying comments to Panju, White, Ford, and Jefferson. The public hearing was closed on a motion by Commissioner Galindo. Commissioner Wolfenden seconded the motion; vote: 6-0.

MOTION: Recommend historic zoning on a motion by Commissioner Galindo. Commissioner Roberts seconded the motion. Vote: 5-1; Commissioner Leary declined to vote.

B. DISCUSSION AND ACTION ON APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS

1. C14H-1978-0035 – Jacoby-Pope Building

200 E. 6th Street

Proposal: Signage for Eureka!

Applicant: Texas Custom Signs

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Committee Recommendation: Not reviewed

Staff Recommendation: Approve for size and placement, recommend an alternative lighting plan that does not involve internal illumination of the cabinet.

The public hearing was closed on a motion by Commissioner Leary. Commissioner Galindo seconded; vote: 6-0.

MOTION: Refer the application to the Certificate of Appropriateness Committee and suggest that the new design be more consistent with district standards on a motion by Commissioner Wolfenden. Commissioner Leary seconded the motion; vote: 6-0.

Austin, Texas

<u>Topic</u>	<u>Name</u>	<u>Address</u>	<u>Phone</u>
AD STENGER Doc.	TROY DUNN	1903 ARTHUR LN	(512) 773 5697
Chatterboxes	Sharon Blythe	926 Blythe	512 759 6152

speaking
speaking



HISTORIC LANDMARK COMMISSION

Monday, June 22, 2015 – 7:00 P.M.

City Council Chambers, City Hall

301 W. 2nd Street

REGULAR MEETING

Austin, Texas

CURRENT BOARD MEMBERS:

____ *Laurie Limbacher, Chair*
 ____ *Andrea Roberts*
 ____ *Dan Leary*
 ____ *Mary Jo Galindo*

____ *John Rosato, Vice-Chair*
 ____ *Leslie Wolfenden Guidry*
 ____ *Terri Myers*

AGENDA

CALL TO ORDER

I. CITIZEN COMMUNICATION: GENERAL

The first three speakers signed up prior to the meeting being called to order will each be allowed a three-minute allotment to address their concerns regarding items not posted on the agenda.

Topic	Name	Address	Phone
✓ Rosewood County	Fred McGehee	Montopolis	275-6027
✓ Rosewood C.S.	Mittell Zell hwy authority	Austin, TX	512-476-1080
XXXXXXXX			

II. APPROVAL OF MINUTES

1. May 18, 2015

III. BRIEFINGS: DISCUSSION AND POSSIBLE ACTION.

IV. PUBLIC HEARINGS

A. DISCUSSION AND ACTION ON APPLICATIONS FOR HISTORIC ZONING,
 DISCUSSION AND POSSIBLE ACTION ON APPLICATIONS FOR HISTORIC

DISTRICT ZONING APPLICATIONS, REQUESTS TO CONSIDER THE INITIATION OF A HISTORIC ZONING CASE, and DISCUSSION AND POSSIBLE ACTION ON CHANGES TO HISTORIC DISTRICT PRESERVATION PLANS.

1. C14H-2014-0014

Bluebonnet Hills Historic District

Roughly bounded by Annie Street on the north, East Side Drive on the east, Leland Street on the south, and Brackenridge Street on the west.

Applicants: Michele Webre, Bluebonnet Hills Historic District Committee

City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454

Staff Recommendation: Review and recommend the entire application with the comments from the Austin Green Builder program, and additional recommended changes to the design standards proposed by the nominating committee in response to citizen input.

NOTE: There is a valid petition against the designation of the district.

[illegible]

Two Reasons to Oppose Historic Zoning Restrictions

- 1. The “Duty to Preserve and Repair” under the Austin City Code would be imposed on our homes (see white sheet).**

(This is a page from the city code itself. It is the same duty to preserve and repair that applies to historic landmarks. It gets triggered if we become a “local historic district,” and is enforced using daily fines, and a criminal penalty).

- 2. We could no longer do virtually anything to the outside of our homes unless we first applied for a permission slip called a “Certificate of Appropriateness,” AND the city’s historic preservation office agreed with what you want to do, and how it looked. (see blue sheet).**

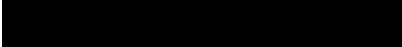
(This is a page from the Bluebonnet Hills historic zoning proposal itself. We would be required to run everything by the city’s historic office. For example: changing your front door, windows, siding, roofing, porches, additions, renovations, etc).

The Bottom Line:

No one wants HOA-type rules. Each homeowner knows what works best for them and their home. Travis Heights has always reflected this very principle.

Nearly 60% Of Affected Homeowners Now Oppose Historic Rezoning

You can help by signing the petition in opposition. Call, email, or swing by.

Tel: 512-659-6286 Email:  506 Lockhart Drive

• **Austin City Code § 25-11-216 - DUTY TO PRESERVE AND REPAIR.**

(A) The **owner**, or other person having legal custody and control of a designated historic landmark or contributing structure in a **local historic district** or National Register Historic District, **shall preserve** the historic landmark or contributing structure **against decay and deterioration and shall keep it free from any of the following defects:**

- (1) Parts which are improperly or inadequately attached so that they may fall and injure persons or property;
- (2) Deteriorated or **inadequate** foundation;
- (3) Defective or deteriorated floor supports or floor supports that are insufficient to carry the loads imposed;
- (4) **Walls, partitions, or other vertical supports** that split, lean, list, or buckle due to defect or deterioration or are insufficient to carry the loads imposed;
- (5) **Ceilings, roofs, ceiling or roof supports**, or other horizontal members which sag, split, or buckle due to defect or deterioration or are **insufficient** to support the loads imposed;
- (6) **Fireplaces and chimneys** which list, bulge, or settle due to defect or deterioration or are of **insufficient** size or strength to carry the loads imposed;
- (7) Deteriorated, crumbling, or **loose exterior stucco or mortar, rock, brick, or siding**;
- (8) **Broken, missing, or rotted roofing materials or roof components, window glass, sashes, or frames, or exterior doors or door frames**; or
- (9) **Any fault, defect, or condition in the structure** which renders it structurally unsafe or not properly watertight.

(B)

The **owner** or other person having legal custody and control of a designated historic landmark or contributing structure in a **local historic district** or National Register Historic District **shall**, in keeping with the city's minimum housing standards, **repair the** landmark or structure **if it is found to have** any of the defects listed in Subsection (A) of this section.

(C)

The owner or other person having legal custody and control of a designated historic landmark, or a building, object, site, or structure located in a historic district, or a contributing structure in a local historic district or National Register Historic District, **shall keep the property clear of all** vermin, **weeds**, fallen trees or limbs, debris, abandoned vehicles, and all other refuse as specified under the City Code Chapter 20 (Abandoned Property and Vehicles), and Chapter 10-5 (Miscellaneous Public Health Regulations), Articles 2, 3, and 4.

• **Austin City Code § 25-11-218 - ENFORCEMENT AND PENALTIES.**

(A)

A person may not violate a requirement of this article. Pursuant to Section 214.0015 (Additional Authority Regarding Substandard Buildings) of the Texas Local Government Code, a person who violates a requirement of this article commits a civil offense, and is **civilly liable to the City in an amount not to exceed \$1,000 per day** for each violation or an amount not to exceed \$10 per day for each violation if the property is the owner's lawful homestead.

(B)

A **person who violates this article commits an offense**. An offense under this article is a **Class C misdemeanor** punishable as provided in Section 1.2-20 (Offenses; General Penalty).

Design Review Process

B. CERTIFICATE OF APPROPRIATENESS

PURPOSE OF THE CERTIFICATE OF APPROPRIATENESS

The Certificate of Appropriateness review process ensures that proposed changes to a property in the historic district comply with these Design Standards. A Certificate of Appropriateness must be granted before a building permit will be issued by the City.

ACTIVITIES THAT REQUIRE A CERTIFICATE OF APPROPRIATENESS

The design review process does not require property owners to proactively make changes to their properties, such as restoring buildings to their historic appearance. The design review process only comes into play once a property owner initiates a construction project that is substantial enough to require a Certificate of Appropriateness.

According to Sections 25-11-2 and 25-11-212 of the City of Austin Land Development Code, a person must obtain a Certificate of Appropriateness to change, restore, remove, or demolish an exterior architectural or site feature of a structure that is contributing to the historic district.

A Certificate of Appropriateness is NOT required for:

- Remodeling the interior of the building;
- Routine maintenance projects, provided that work follows the treatment guidelines set forth in Appendix C to ensure that the work does not affect the historic character of the resource. This may include painting, repointing of masonry, foundation repair, etc., or
- Remodeling of non-contributing buildings.

A Certificate of Appropriateness IS required for:

- Replacing siding, porches, doors, windows, or roofing materials;
- Exterior alterations to existing buildings and sites including, but not limited to, the construction of additions, decks, pools, or the installation of new windows, doors or roofs;
- Demolition of existing buildings or parts of buildings;
- New construction;
- Relocation of existing buildings into or out of the district; or
- Landscape changes requiring a City permit.

The City Historic Preservation Office will review applications to determine if a Certificate of Appropriateness is necessary.

PROCESS FOR OBTAINING A CERTIFICATE OF APPROPRIATENESS

Applications for a Certificate of Appropriateness must be submitted to the City Historic Preservation Office per the submission schedule provided by the City Historic Preservation Office. The application form may be obtained from the City Historic Preservation Office or the City of Austin website. Property owners may contact City staff in the early planning stages of a project for assistance in interpreting the Standards, suggesting solutions to problems, and explaining the review process and requirements. The Historic Preservation Office staff can also provide on-site consultations and other technical assistance. The City Historic Preservation Office conducts a preliminary review of the application for a Certificate of Appropriateness and may contact the applicant for additional information, or to suggest changes to the application.

You can no longer do any of these things... Unless you get the historic office/commission's permission.

"but not limited to" means they can unilaterally add to this list.

The letter below was distributed by Arif Panju to neighbors in early December, 2014 when asking them to sign a petition in opposition to the Bluebonnet Hills Local Historic district. Many of the points it raises are simply untrue, ideologically-motivated or vague.

WHY HISTORIC DISTRICTS ARE A BAD IDEA

1. It is not right to diminish the land value of neighbors who do not want to be part of a historic district. Zoning encumbers property.
2. We have enough hoops to jump through. There are already plenty of zoning protections. Adding one more because certain people want your house to "look" a certain way is too much (and offensive).
3. Historical "design standards" are ambiguous. A historic district will allow other people to apply their subjective criteria to make decisions about your home. Do you trust yourself or a bureaucrat?
4. Any "advantages" are far outweighed by the hidden costs.
5. Renovating? Be ready to spend thousands of dollars for renderings and plans before the historical board even considers what you want to do.
6. Changing windows and doors? You will meet resistance if you want to install modern, energy efficient improvements: (1) you will have to ask for permission from a board; (2) it is expensive; (3) it will not be easy.
7. Want to add a 2nd floor? Good luck. It is extremely difficult (and prohibitively expensive) to do so in a historic district. You will be using your backyard instead to expand your home, and still need permission.
8. Adding square footage increases your home's value (e.g., 500 sq./ft. at \$400 per sq./ft. = \$200,000). That is a lot of money. Historic districts make realizing this value very difficult. This is yet another hidden cost that proponents of historic districts never mention.
9. Fines? Yes, people get fined if they do not meet "design standards."
10. Like old houses? So do I. But please do not rezone mine against my will. Seek a landmark designation and keep your hands off my home.
11. RETURN THE ATTACHED FORM TO THE CITY AND MARK "I OBJECT".
12. THIS IS BEING FORCED ON YOU so please attend the 3 City Meetings.

We live here. We oppose forcing a "historic" district on others. Join us: NoHistoricDistrict@gmail.com

This is ideological and ignores the benefits of historic preservation enjoyed by most American cities

Untrue. The design standards are detailed. They cannot also be ambiguous.

The costs are not onerous or hidden. Which ones?

Incorrect. You can change windows and doors.

Incorrect. You can definitely add a second floor.

Simplistic. Historic districts have enjoyed disproportionate property value per sq. ft.

Anonymous. There is no public Web site or listing of neighbors behind this effort – unlike supporters of the LHD.

Valero, Debbie

From: Arif Panju [REDACTED]
Sent: Thursday, January 22, 2015 2:49 PM
To: Sadowsky, Steve; Guernsey, Greg
Cc: Houston, Ora; Christopher.hutchins@austintexas.gov; Garza, Delia; Williamson, Laura; Renteria, Sabino; Solorzano, Nicholas; Greg.casar@austintexas.com; Anne.kitchen@austintexas.gov; Craig, ken; Zimmerman, Don; Petronis, Joe; Pool, Trent; Watson, Gregory; Troxclair, Ellen; Gallo, Sheri; Cannon, Tina; Adler, Steve; Shack, Barbara; Rusthoven, Jerry
Subject: Bluebonnet Hills Historic District | LACK OF TRANSPARENCY (Case No. C14H-2014-0014)
Attachments: Email (City Staff) re Historic District (conflicts re voting).pdf

The proposed Bluebonnet Hills Historic District is a case study on how the lack of transparency was used by the Preservation Office to the detriment of affected homeowners, prior to the new council arriving.

Mr. Sadowsky,

After violating homeowner notice rules (over objections), in a rush to the outgoing council's final meeting, you emailed me on December 19th that the re-hearing on the Bluebonnet Hills Historic was set for January 26th.

Knowing this, your office has again delayed to give affected homeowners the absolute minimum notice legally allowed for the upcoming meeting on the proposed historic district : 11 days.

Even worse, the notices are extremely vague, and tell homeowners, including myself, absolutely nothing about how HD zoning would affect our properties. This falls way short of what real transparency looks like.

Council Members and Mr. Guernsey,

This appears to be a symptom of a much larger problem with transparency concerning the city's Preservation Office:

An open records request in December has yielded the following:

1. Evidence of lobbying by the Preservation Office (of outgoing council staff) to vote in favor of the proposed historic district (using official COA email) (E.g., see attached);
2. Evidence the Preservation Office tipped off proponents of the proposed Bluebonnet Hills historic district that there was opposition, and offering suggestions on how to counter the opposition from homeowners;
3. Evidence of coaching the applicant and her consultants with their historic district application;
4. Approving arbitrarily drawn historic district boundaries that amount to gerrymandering.

Officials in city government should not be picking winners and losers. Rather, they should equally serve the citizens of Austin, be neutral, and certainly not aid, nor lobby for, one side of such a contentious issue.

The Preservation Office should not be actively assisting those attempting to pass the proposed Bluebonnet Hills historic district while closing the curtains of transparency as much as possible on the affected homeowners.

Transparency goes to the core of good government. Here, the blinds are shut. It is time for a change.

Arif Panju
506 Lockhart Drive



Arif Panju
Attorney
INSTITUTE FOR JUSTICE
816 Congress Avenue, Suite 960
Austin, TX 78701
(512) 480-5936 (tel)
(512) 659-6286 (m)
(512) 480-5937 (fax)

www.ij.org

From: Sadowsky, Steve [mailto:Steve.Sadowsky@austintexas.gov]
Sent: Friday, December 19, 2014 11:14 AM
To: Arif Panju
Cc: Rusthoven, Jerry; Guemsey, Greg
Subject: RE: 506 Lockhart Drive (Objection Form) | Case No. C14H-2014-0014

The nomination will be set for hearing by the Historic Landmark Commission on January 26, 2015 at 7 pm in the Council Chambers of City Hall, 301 W. 2nd Street, Austin, Texas. Notice of the public hearing will go out at least 11 days in advance of the hearing date.

*Steve Sadowsky
Historic Preservation Officer
City of Austin, Texas
974-6454*

From: Arif Panju [REDACTED]
Sent: Thursday, December 18, 2014 10:57 AM
To: Sadowsky, Steve
Subject: RE: 506 Lockhart Drive (Objection Form) | Case No. C14H-2014-0014

Steve,

Can you please send me an update on what administrative action has been taken since the Bluebonnet Hills historic district application (Case No. C14H-2014-0014) was pulled from the Planning Commission/City Council agendas?

In particular, is the application already scheduled for hearing at a specific upcoming meeting or is it subject to a delay under the rules (e.g., code sections 25-2-247 or 25-2-246)?

Thank you,



Arif Panju
 Attorney
 INSTITUTE FOR JUSTICE
 816 Congress Avenue, Suite 960
 Austin, TX 78701
 (512) 480-5936 (tel)
 (512) 659-6286 (m)
 (512) 480-5937 (fax)
 [REDACTED]
www.ij.org

From: Sadowsky, Steve [<mailto:Steve.Sadowsky@austintexas.gov>]
Sent: Tuesday, December 09, 2014 11:38 AM
To: Arif Panju
Subject: RE: 506 Lockhart Drive (Objection Form) | Case No. C14H-2014-0014

Arif:

The Bluebonnet Hills nomination will be pulled from both the Planning Commission agenda tonight and the Council agenda on Thursday to rectify the notice of public hearing issues you identified. We will send out notices for the new hearing dates as soon as possible.

*Steve Sadowsky
 Historic Preservation Officer
 City of Austin, Texas
 974-6454*

From: Arif Panju [REDACTED]
Sent: Monday, November 17, 2014 1:23 PM
To: Sadowsky, Steve
Subject: RE: 506 Lockhart Drive (Objection Form) | Case No. C14H-2014-0014

Ok. However, I have seen objection forms posted online prior to hearings and they are public documents.

There are now objections from folks that originally signed the petition—which calls into question whether there is even 50% in support--and it is important to see how many.



Arif Panju
 Attorney
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 816 Congress Avenue, Suite 960
 Austin, TX 78701
 (512) 480-5936 (tel)
 (512) 659-6286 (m)

(512) 480-5937 (fax)

www.ij.org

From: Sadowsky, Steve [<mailto:Steve.Sadowsky@austintexas.gov>]
Sent: Monday, November 17, 2014 1:18 PM
To: Arif Panju
Subject: RE: 506 Lockhart Drive (Objection Form) | Case No. C14H-2014-0014

Everything has been posted. The objection forms are given to the Commissioners at the hearing.

*Steve Sadowsky
 Historic Preservation Officer
 City of Austin, Texas
 974-6454*

From: Arif Panju [REDACTED]
Sent: Monday, November 17, 2014 12:53 PM
To: Sadowsky, Steve
Cc: Arif Panju
Subject: RE: 506 Lockhart Drive (Objection Form) | Case No. C14H-2014-0014

Hi Steve,

Two questions:

1. Checking in to see if you posted the objections to the Bluebonnet Hills historic district application yet?
2. Having started to look at the contributing properties and support document already online, (<http://www.austintexas.gov/edims/document.cfm?id=221351>), it appears the % calculation omits some properties in the zone. For example, half of the homes from the same block of Annie and Leland are missing.

Thank you,
 Arif

From: Arif Panju
Sent: Wednesday, November 12, 2014 4:28 PM
To: steve.sadowsky@austintexas.gov
Cc: Arif Panju
Subject: 506 Lockhart Drive (Objection Form) | Case No. C14H-2014-0014

Mr. Sadowsky,

Please see the attached form of 506 Lockhart Drive objecting to the proposed Bluebonnet Hills local historic district.

All the very best,



Arif Panju

Attorney

INSTITUTE FOR JUSTICE

816 Congress Avenue, Suite 960

Austin, TX 78701

(512) 480-5936 (tel)

(512) 659-6286 (m)

(512) 480-5937 (fax)


www.ij.org

[Spam](#)[Not spam](#)[Forget previous vote](#)

Valero, Debbie

From: Arif Panju [REDACTED]
Sent: Tuesday, January 27, 2015 10:31 AM
To: Sadowsky, Steve; Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: Fwd: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)
Attachments: lhd_zoning_application.pdf; Objection -Arbitrary Boundaries (Proposed Bluebonnet Hills H.D.).pdf

Categories: Red Category

Mr. Sadowsky:

Last night during an open meeting you claimed that current surveys satisfying the below-described (and attached) requirements of a 4-part survey of each home for an LHD application, actually exist.

Please send them to me immediately by replying to all.

No qualifying surveys were posted online in support of the application for the proposed Bluebonnet Hills LHD (only a partial set of old surveys dated 2009 and authored by a sitting Commissioner).

You are ignoring a valid objection to the LHD application due to the violating the crystal clear survey requirement, and the rules must be followed.

Since they exist, and are mandatory, please reply by sending me the surveys.

Arif Panju
 506 Lockhart Drive

Sent on the new Sprint Network from my Samsung Galaxy S4.

----- Original message -----

From: Arif Panju
Date: 01/23/2015 8:06 PM (GMT-06:00)
To: steve.sadowsky@austintexas.gov
Cc: greg.guernsey@austintexas.gov, "Adams, George", "Rusthoven, Jerry"
Subject: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

Mr. Sadowsky,

The following two objections are submitted for the public record and for posting online in opposition to the proposed Bluebonnet Hills Historic District.

FIRST OBJECTION: Deficient Application

The application for the proposed Bluebonnet Hills Historic District fails to meet the mandatory application requirements, including a current survey for each property and a valid signed petition by current homeowners.

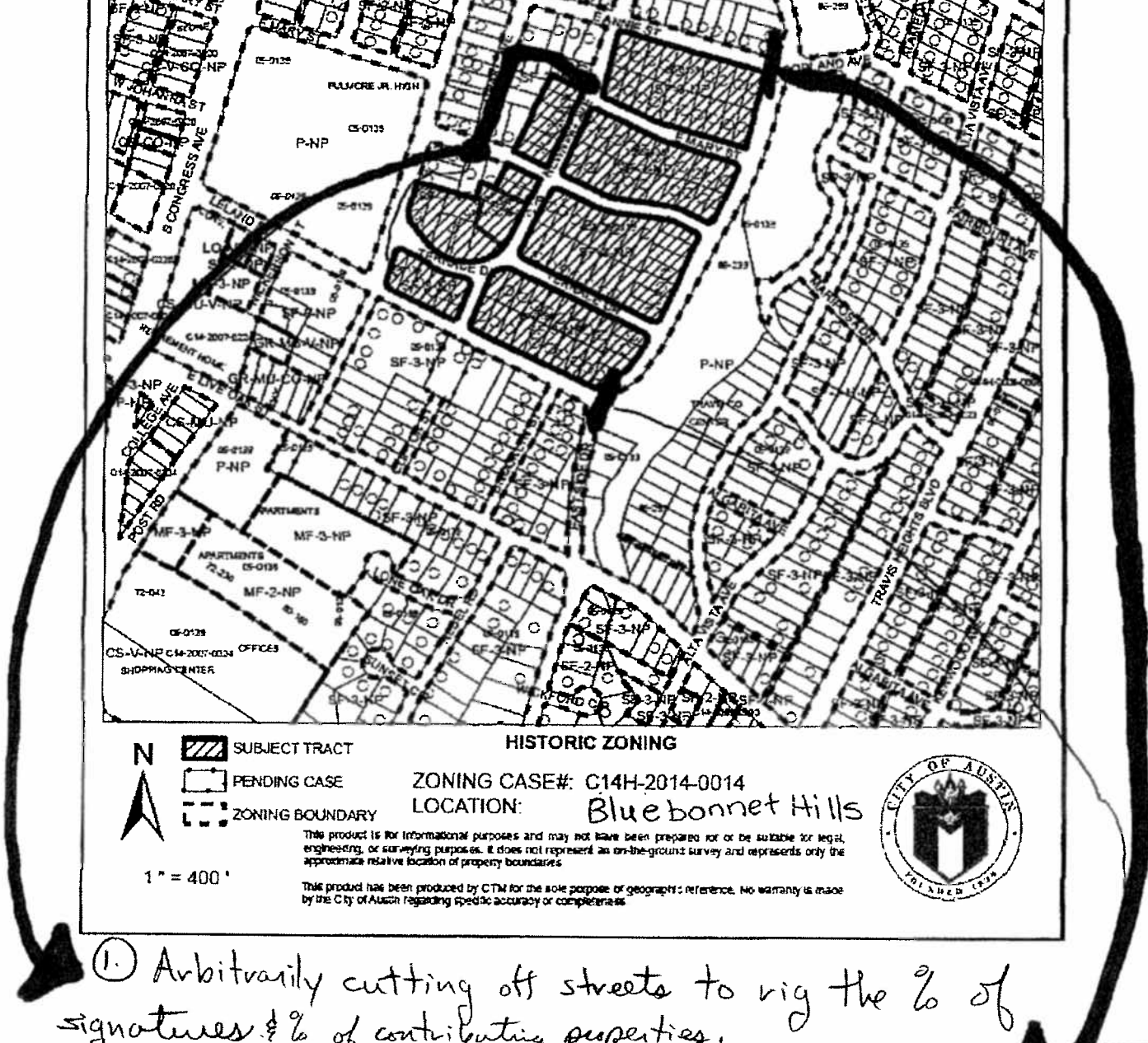
- A valid application for a local historic district requires multiple items in support of an application. See Application for LHD, City of Austin, at p. 2 (available at: http://www.austintexas.gov/sites/default/files/files/Planning/Historic_Preservation/lhd_zoning_application.pdf) (see attached). Two requirements are lacking from the application for the proposed Bluebonnet Hills H.D.
- 1. **Failure to Submit Current Surveys:** The proposed Bluebonnet Hills Historic District application is not supported by current surveys for “every building,” and thus renders the application invalid.
 - Under Appendix C of the LHD Application, the **survey forms “consist of four sections.” Each property’s survey form must also contain the information listed on pages 13 through 17 of the LHD Application.** Finally, among other things, each survey must include the “current owner name.”
 - As of January 23, 2015, no current surveys have been posted by the city of Austin in support of this application.
 - To the extent the applicant is relying on outdated surveys that formed part of its original application in 2014, those surveys were performed six years ago (in 2009), and I object to their use on the basis that 6-year old surveys are outdated and on the basis that they do not meet the substantive requirements set forth in the city’s LHD Application (see immediately above). Finally, the 2009 surveys were produced by a sitting member of the Historic Landmark Commission, Terri Meyer, who refuses to disclose that conflict of interest, and therefore her determinations in those surveys (contributing vs. noncontributing) are void for consideration by Austin’s Historic Landmark Commission and violate its bylaws.
- 2. **Failure to Demonstrate Owner Support to Initiate “HD” Zoning:** The application lacks a “signed petition or written support of at least 51% of the property owners.” Indeed, none has been posted in support of the proposed Bluebonnet Hills Historic District application. The signatures in support from 51% or more of the property owners are mandatory. The required petition forms, and the required format they must include, are listed in Appendix E of the required application. See Application for LHD, City of Austin, at Appendix E (attached). The application fails for lack of proper support and signatures from current owners.
 - As for January 23, 2015, no “signed petition or written support” from 51% of **current homeowners** have been posted by the city of Austin in support of this application, nor any that meet the required format for this requirement.

SECOND OBJECTION: Arbitrary and Invalid Boundary

The proposed boundary for the proposed Bluebonnet Hills Historic District, contained in this application, is arbitrary and amounts to self-serving line-drawing (i.e., gerrymandering). Accordingly, its borders do not amount to a “historic district” and this application is thus deficient.

- A “local historic district” is a “*geographically or thematically-defined area, . . .*” See Application for LHD, City of Austin, at Introduction (available at: http://www.austintexas.gov/sites/default/files/files/Planning/Historic_Preservation/lhd_zoning_application.pdf) (see attached).
- The applicants for the proposed Bluebonnet Hills Historic District propose a historic district with arbitrary boundaries that carve through an existing residential area, and randomly cuts off streets in the middle of blocks (e.g., Lockhart Dr. and Newning Ave), and inexplicably include only one-half of a residential street even though

2-6



- 1-23-1

Arif Panju
506 Lockhart
Arif

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
<http://www.austintexas.gov/development>.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14H-2014-0014


Contact: Steve Sadowsky, 512-974-6454

Public Hearing: Historic Landmark Commission, January 26, 2015

Arif Panju & Maryam Nazari
Your Name (please print)

506 Lockhart Drive, 78704

Your address(es) affected by this application

 Maryam Nazari
Signature

1-23-15
Date

Daytime Telephone: 512-659-6286

Comments:

The only thing "historic" about this is the sad history of gerrymandering the proposal invokes. Also, the office is a case study on how vague & non-transparent noticing gets taken advantage of, to advance the self-interest of those seeking to tell others how their own houses must look like. Hands off my home.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Steve Sadowsky

P. O. Box 1088

Austin, TX 78767-8810

Valero, Debbie

From: Arif Panju [REDACTED]
Sent: Wednesday, January 28, 2015 10:04 AM
To: Sadowsky, Steve; Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

Categories: Red Category

The surveys online are all dated 2009 and signed by Commissioner Terri Meyers after she became a sitting commission member.

I should also note that only two of these .pdfs were uploaded when the meeting was taking place, and now the rest have appeared. However, these are the same old surveys in dispute last time and are six years old.

What documentation do you have, as noted in the meeting, stating that these are current?

Arif

From: Sadowsky, Steve [mailto:Steve.Sadowsky@austintexas.gov]
Sent: Wednesday, January 28, 2015 9:55 AM
To: Arif Panju; Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

Dear Mr. Panju:

The building surveys which were posted on the City's website for the meeting of the City Historic Landmark Commission contain all of the information specified in the local historic district nomination. The survey form detailing the materials and architectural features of the house was designed to be a checklist – and the answers to that checklist are contained on each survey form. The building history form is required only when necessary to produce the narrative history of the district. It is not the intent of the historic district to require detailed information on the history of each building within the district, since the district is important as a collection of architecturally- and contextually-related buildings, rather than a collection of historic landmarks, for which the full history of each building would be necessary. Because the survey forms are large files, I will have to send them to you individually by street. This information is also on the city's website for the Historic Landmark Commission meeting of January 26, 2015.

Regards,

*Steve Sadowsky
 Historic Preservation Officer
 City of Austin, Texas
 974-6454*

From: Arif Panju [REDACTED]
Sent: Tuesday, January 27, 2015 4:42 PM
To: Sadowsky, Steve; Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

(2nd Request)

Mr. Sadowsky,

Can you please send the current surveys, mentioned at last night's Historic Commission meeting, that the city validly supporting the Bluebonnet Hills L.H.D. Application.

They are a mandatory part of the application, from format to substance, and are missing from the application posted online.

Arif Panju

Sent on the new Sprint Network from my Samsung Galaxy S®4.

----- Original message -----

From: Arif Panju

Date: 01/27/2015 10:30 AM (GMT-06:00)

To: steve.sadowsky@austintexas.gov, Greg Guernsey, Jerry Rusthoven, George Adams

Subject: Fwd: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

Mr. Sadowsky:

Last night during an open meeting you claimed that current surveys satisfying the below-described (and attached) requirements of a 4-part survey of each home for an LHD application, actually exist.

Please send them to me immediately by replying to all.

No qualifying surveys were posted online in support of the application for the proposed Bluebonnet Hills LHD (only a partial set of old surveys dated 2009 and authored by a sitting Commissioner).

You are ignoring a valid objection to the LHD application due to the violating the crystal clear survey requirement, and the rules must be followed.

Since they exist, and are mandatory, please reply by sending me the surveys.

Arif Panju
506 Lockhart Drive

Sent on the new Sprint Network from my Samsung Galaxy S®4.

----- Original message -----

From: Arif Panju

Date: 01/23/2015 8:06 PM (GMT-06:00)

To: steve.sadowsky@austintexas.gov

Valero, Debbie

From: Arif Panju [REDACTED]
Sent: Wednesday, January 28, 2015 3:11 PM
To: Sadowsky, Steve; Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)
Categories: Red Category

Thank you.

It appears you are acknowledging that there is zero building history "to support historic context" under this application, and that is why there are none. Yes, our homes are not historic and the city must acknowledge as much.

As for the survey requirement, there is a reason the city requires that they be current, signed, and dated. Stating that your walking of our neighborhood obviates this requirement raises legal, ultra vires concerns. You cannot make your own rules.

The bottom line is that there is less than the required 51% support from affected homeowners. Please send us the updated inventory with the new % support showing that it is now well below the required 51%.

Arif Panju

Sent on the new Sprint Network from my Samsung Galaxy S4.

----- Original message -----

From: "Sadowsky, Steve"
Date: 01/28/2015 1:45 PM (GMT-06:00)
To: Arif Panju, "Guernsey, Greg", "Rusthoven, Jerry", "Adams, George"
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

Dear Mr. Panju:

Appendix C from the Local Historic District Nomination Form shows that the nominators include a building history "as needed to support historic context."

Appendix C. SURVEY FORMS AND PHOTOGRAPHS

The survey and inventory gathers the data necessary for evaluating the architectural significance of the district, as well as developing the design standards for the district. The survey will provide the information necessary to fill out the first part of the application.

Arrange the survey forms alphabetically by street and then numerically by address number

The Survey Forms consist of four sections:

- 1. Survey Cover Sheet (required for all properties within the proposed boundaries)**
- 2. Photograph (required for all properties within the proposed boundaries)**
- 3. Building Information (required for all contributing buildings)**
- 4. Building History (provide as needed to support historic context)**

Steve Sadowsky
Historic Preservation Officer

City of Austin, Texas

974-6454

From: Arif Panju [REDACTED]
Sent: Wednesday, January 28, 2015 10:36 AM
To: Sadowsky, Steve; Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

Mr. Sadowsky,

You are incorrect. The "building history" section is required for each property, and a mandatory part of the survey. (see attached form)

The heading from the survey form itself reads: "**REQUIRED FOR EACH PROPERTY IN THE LOCAL HISTORIC DISTRICT BOUNDARIES**"

If there is no history for a building, then this portion of the form should state "NONE". Please don't try to explain this away.

There are rules for a reason and I am consistently having to follow-up when they are ignored.

Missing Objections

Also: homeowners have sent in several objections to this historic district but they are not being posted online nor being added to the record. I have been separately copied on them so we can confirm that you are leaving them off. Please post them all online immediately and add them to the record.

Arif

From: Sadowsky, Steve [<mailto:Steve.Sadowsky@austintexas.gov>]
Sent: Wednesday, January 28, 2015 9:55 AM
To: Arif Panju; Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

Dear Mr. Panju:

The building surveys which were posted on the City's website for the meeting of the City Historic Landmark Commission contain all of the information specified in the local historic district nomination. The survey form detailing the materials and architectural features of the house was designed to be a checklist – and the answers to that checklist are contained on each survey form. The building history form is required only when necessary to produce the narrative history of the district. It is not the intent of the historic district to require detailed information on the history of each building within the district, since the district is important as a collection of architecturally- and contextually-related buildings, rather than a collection of historic landmarks, for which the full history of each building would be necessary. Because the survey forms are large files, I will have to send them to you individually by street. This information is also on the city's website for the Historic Landmark Commission meeting of January 26, 2015.

Regards,

Steve Sadowsky
 Historic Preservation Officer
 City of Austin, Texas
 974-6454

From: Arif Panju [REDACTED]
Sent: Tuesday, January 27, 2015 4:42 PM

Valero, Debbie

From: Arif Panju [REDACTED]
Sent: Wednesday, January 28, 2015 10:43 AM
To: Sadowsky, Steve; Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)
Categories: Red Category

So, you recommended rezoning 109 properties based **on a verbal** "we resurveyed it and it's fine" by the applicant's own consultants?

If you raised concerns about their reliance on 6-year old surveys surely you would ask them to submit current surveys before rubber stamping the rezoning of over 100 homes.

Are you saying you do not see any problem with that?

Arif

From: Sadowsky, Steve [mailto:Steve.Sadowsky@austintexas.gov]
Sent: Wednesday, January 28, 2015 10:35 AM
To: Arif Panju; Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

That was a concern I raised with the nomination team, who said that their two consultants resurveyed the entire district and revised any survey forms needed a revision.

*Steve Sadowsky
 Historic Preservation Officer
 City of Austin, Texas
 974-6454*

From: Arif Panju [REDACTED]
Sent: Wednesday, January 28, 2015 10:04 AM
To: Sadowsky, Steve; Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

The surveys online are all dated 2009 and signed by Commissioner Terri Meyers after she became a sitting commission member.

I should also note that only two of these .pdfs were uploaded when the meeting was taking place, and now the rest have appeared. However, these are the same old surveys in dispute last time and are six years old.

What documentation do you have, as noted in the meeting, stating that these are current?

Arif

Valero, Debbie

From: Arif Panju [REDACTED]
Sent: Wednesday, February 04, 2015 11:21 AM
To: Sadowsky, Steve
Cc: Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)
Categories: Red Category

Mr. Sadowsky,

Our position is that the nomination now lacks the required 51% support under any criterion. We await the city's timely confirmation of this, followed by the prompt withdrawal of the nomination.

To be clear: this is not a "case" in the context that you refer to it. Rather, it is an attempt to rezone our homes. The zoning provisions under the code are not discretionary in their application (either they apply or they do not), and therefore the law does not contemplate compromising on the extent of their application.

A strong majority of the affected neighbors are now on the record opposing this rezoning proposal and therefore the current proposal fails to meet the mandatory legal requirements to proceed.

After you have confirmed that the nomination lacks the legally required support in must have, we are happy to share our experience over the past three months with any city leader interested in reforming this process. Indeed, we are already doing exactly that. This historic district nomination, and the city's actions in pursuing it to over the past three months, has been a case study in bad government.

Finally, if you set up a one-on-one meeting at which I am requested to attend, I only ask that you have the courtesy of suggesting a date and time before setting the meeting.



Arif Panju
 Attorney
 INSTITUTE FOR JUSTICE
 816 Congress Avenue, Suite 960
 Austin, TX 78701
 (512) 480-5936 (tel)
 (512) 659-6286 (m)
 (512) 480-5937 (fax)

www.ij.org

From: Sadowsky, Steve [mailto:Steve.Sadowsky@austintexas.gov]
Sent: Tuesday, February 03, 2015 3:43 PM
To: Arif Panju
Cc: Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

Dear Mr. Panju:

We are still checking the names on the petition you sent and determining the status of the petition vis-à-vis either criterion for the historic district – 51% of the owners or the owners of 51% of the land. I will let you know as soon as I have an answer from our group on the determination of the owners of 51% of the land, as I do not make that calculation myself.

I am also scheduling a one-on-one meeting with you and one of the members of the nominating team, which will be facilitated by Larry Schooler, the city's facilitator, to discuss the issues you have raised to see if there is any room for compromise on either side of this case. We want to address all of the issues that have arisen in the processing of this case, and we feel that the best way of doing that is to have a facilitated meeting as soon as possible. We have also scheduled a larger public meeting for all of the property owners within the district, so that we can provide them with information and answer any questions that arise. That meeting will also be facilitated by Mr. Schooler.

The one-on-one meeting is Wednesday, February 25 at 6 p.m.; the larger public meeting will be Tuesday, March 10, also at 6 p.m.

We truly want to do our best to address your concerns, as well as those of the nominating team. I will be informing the nominating team of both meetings as well, and I want to add that this first meeting will be just for you two. This will not be an opportunity for either side to gang up on the other, but rather is an opportunity for both you and a member of the nominating team to let us know what the issues are so that we can work with both of you to attempt to find a common ground or compromise, if possible.

Steve Sadowsky
 Historic Preservation Officer
 City of Austin, Texas
 974-6454

From: Arif Panju [REDACTED]
Sent: Tuesday, February 03, 2015 3:09 PM
To: Sadowsky, Steve
Cc: Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

2nd Request:

Mr. Sadowsky,

We are again requesting that you remove the names of homeowners who have withdrawn support for the proposed Bluebonnet Hills historic district, by joining the petition in opposition.

Eight days ago, you were put on notice via petition that homeowners have withdrawn support for this historic rezoning proposal and that it no longer has the required 51% support to move forward. Homeowners have also emailed you individually regarding the same, and also filed objections that also still remain missing from the public record.

Please immediately provide the following:

1. Confirmation that the Bluebonnet Hills local historic proposal no longer has the required 51% support from affected homeowners; and

2. An updated official current inventory document of affected properties reflecting each homeowner who opposes the Bluebonnet Hills local historic district proposal.



Arif Panju

Attorney
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 816 Congress Avenue, Suite 960
 Austin, TX 78701
 (512) 480-5936 (tel)
 (512) 659-6286 (m)
 (512) 480-5937 (fax)

www.ij.org

From: Arif Panju
Sent: Monday, February 02, 2015 1:33 PM
To: Sadowsky, Steve; Guernsey, Greg; Rusthoven, Jerry; Adams, George
Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

Mr. Sadowsky:

When can we expect the new inventory document reflecting the majority of homeowners now in opposition to the proposed Bluebonnet Hills historic district?

Both the signatories of the petition submitted last week, and the homeowners who emailed you directly, would like the city to accurately reflect their position as opposing the proposal.

Arif Panju

Sent on the new Sprint Network from my Samsung Galaxy S34.

----- Original message -----

From: "Sadowsky, Steve"
 Date: 01/28/2015 1:54 PM (GMT-06:00)
 To: Arif Panju, "Guernsey, Greg", "Rusthoven, Jerry", "Adams, George"
 Subject: RE: Objections for Public Record | Bluebonnet Hills H.D. (Case No. C14H-2014-0014)

Dear Mr. Panju:

I have also visited the houses within the district with the survey forms in hand, and found that the information on the survey forms is accurate.

Steve Sadowsky
 Historic Preservation Officer
 City of Austin, Texas

EXHIBIT C-7

July 27, 2015 Meeting of the Historic Landmark Commission

Item 7: Public Hearings

Agenda item 7A1: C14H-2014-0014 – Staff requests a postponement to August 24, 2015 to allow for a quorum vote on this case. Bluebonnet Hills Local Historic District.

[7:37 PM]

>>Mary Jo Galindo: So the items up for postponement under A, A1: C14H-2014-0014 postponement on the Blue Bonnet Hills Historic District until August 24th [lists another postponement item]

[7:38 PM]

>>Arif Panju: Can you go from the date of A1's postponement?

>>Mary Jo Galindo: August 24th. That would be our regular meeting.

>>Steve Sadowsky: That's our regular meeting.

[Lists other postponement items]

[7:41 PM]

>>Mary Jo Galindo: And that's it.

>>Steve Sadowsky: That does it. That's all of the postponements.

>>Mary Jo Galindo: So the chair will entertain a motion.

>>Arif Panju: So I'll have a question on A1. So, I might have a subsidiary motion so if you want to take that separate from consent, that's fine. So do you want to get rid of all the consent ones then we can do A1?

>>Mary Jo Galindo: Ok, so you're... it's on the postponement.

>>Arif Panju: That's right. So I might amend the motion to postpone or I might offer a subsidiary motion on it before the motion to postpone so as not to hamper the rest of the consent postponements. We can do all of the consent postponements but I have some questions for Steve about A1.

[7:42 PM]

>>Mary Jo Galindo: Ok, so you want to pull that one from this list I just read?

>>Arif Panju: From the consent list. Correct.

[7:43 PM]

>>Steve Sadowsky: Ok. So let's do the August 24th, excluding A1 Commissioner Panju has a substitute motion for that.

[Commission votes to postpone other cases]

[7:44 PM]

>>Steve Sadowsky: So let's get to Commissioner Panju's question about A1.

>>Arif Panju: Ok. So, A1 deals with the Blue Bonnet Hills Local Historic District. I see a staff request for staff postponement to August 24th, which is our next meeting. August 24th also marks almost a one year anniversary, since this preservation office received this application from some neighbors in BBH. And it dawned on me that we've had, the prior commission before us, our predecessors, had three different installments of trying to initiate this, but yet it's on our agenda, so my question is, what exactly are we voting on, since it's been voted on three times?

>>Steve Sadowsky: [laughs] That's a [unclear].

>>Arif Panju: And council has already heard this and my understanding is that LHD's originate here.

[7:45 PM]

>>Steve Sadowsky: They do, they do. Ah, it's coming back to the historic landmark commission between first and second readings for a full review of all of the materials that were originally submitted, at... when the case was first started before the commission. Staff is also going to make some recommendations for changes, and the status of certain properties within the district. There's also been some recommendations for clarifications to certain of the design standards. So staff felt it was just the best policy to, with all these recommendations for changes, that you all get to hear this case again and raise any issues that you all might have about it.

[7:46 PM]

>>Arif Panju: OK, so are the prior three votes on it then invalid?

>>Steve Sadowsky: Yes.

>>Arif Panju: One subsidiary motion that I would like to have, just to clarify, is that I think council should be informed in writing that, from us or staff, that there is no recommendation from the historic landmark commission in favor of this. I know at their first reading the notice said that HLC voted to recommended this, but if no legal vote has occurred yet on this item, then that correction needs to be made expressly to council and retract that prior recommendation or any prior recommendations if those votes were legally insufficient. And so if we are gonna move to postpone, I'd offer an amendment to that motion since we are going to be fully hearing this on the 24th that we postpone this item to the 24th of August, but that in the interim, that a letter sent to council explaining why it's going back to where everything started and that the prior recommendations need to be set aside and that we will send our recommendation after fulling vetting this—legal application this time. That's the motion I would like to offer—so I move to postpone to August 24, 2015 and also ask that the city's Historic Preservation Office notify council that prior recommendations by the historic landmark commission which are now invalid since we are going to be hearing this, be sent in writing, and all the council members and mayor be advised that we will be holding this meeting and that the prior recommendations should be withdrawn.

[7:48 PM]

>>Steve Sadowsky: Can I... Let me interrupt just for a second. [leaves podium and returns].

>>Emily Reed: I'd like to offer a substitute amendment, it seems like that may be premature to do that, if we do hear the case on August 24th, and approve it, then it would be going forward again, so it seems like we should wait until hearing the decision on the 24th before we write that letter rescinding the commission's recommendation.

[7:49 PM]

>>Arif Panju: Well, I think that Mr. Sadowsky mentioned that all the three prior votes were invalid so there is no valid recommendation.

>>Steve Sadowsky: Actually, I said all three prior votes were valid, in the recommendations, they are all valid.

>>Arif Panju: OK, so my understanding is that the first vote is invalid because the homeowner notices were illegal notices, they didn't satisfy the eleven day minimum notice requirement, that was the November vote. My understanding is that January 26, the second attempt to initiate this was also invalid because the city hadn't satisfied an application requirement the Austin Energy Green Builder program. My understanding is that the third vote was invalid because the notices were very narrow in scope, the notices said that the hearing and testimony would only be accepted if they related to Austin Energy Green Building requirements for LHDs. When, in fact, it had to be fully noticed like we are going to do on the 24th. So, if we have already had a valid vote on this with a valid recommendation, which vote is that?

[7:50 PM]

>>Steve Sadowsky: I think that is something I will take up with the law department. You all need to vote on either your motion or a substitute motion on this case for either postponing it straight for Aug. 24 or postponing it with direction to staff.

>>Arif Panju: So our concern is, if this has been mired in legal issues, I want it to stop with this commission. I want it to be done legally and transparently, have no problems. It seems that the three prior votes do have issues, and if, I understand that you want to postpone it, but we are not postponing any action at this point. It's just on the agenda, but there is no real good explanation as to why we're being asked to vote on something which the city says has already been voted on, or if it hasn't been voted on legally, we're the ones that are gonna do it. Need some clarification on that. I'm not getting a real good answer as to why this fourth vote with this commission is gonna be necessary. But if the prior votes were invalid, that makes sense and I simply want the council to understand that this vote that we're gonna send them is the actual vote on the LHD and the prior ones need to be withdrawn. It's either one or the other. I would need clarification from staff and perhaps legal, since they're there, which one is correct here.

[7:51 PM]

>>David Sorola: David Sorola with the City of Austin Law Department. I think your agenda speaks for itself. You all as the historic landmark commission are initiating a zoning case and so that suggests that there is no actual recommendation that has gone before the city council at least at this juncture. I mean I think you are properly posted if you want to take that action but I think as one of the other

commissioners mentioned, I think it would be proper, as well, for the commission to consider for that action to be premature given that you are taking up the case brand new at this juncture.

[7:52 PM]

>>Arif Panju: All right, that's my understanding. So if we are taking up the case brand new, but there are three prior votes, I simply ask that the preservation office notify the council and mayor that the three prior votes on this item, are not the actual votes for whatever reason.

>>Mary Jo Galindo: Do I hear a second to Mr. Arif's motion? Do I hear a second to Ms. Reed's motion?

[7:53 PM]

>>Blake Tollet: I'll second her motion, her substitute motion.

>>Arif Panju: Can you restate your motion?

>>Emily Reed: The motion being that we would consider at the August 24th meeting whether it would be appropriate to notify council of any changes in the Historic Landmark Commission's decision based on the outcome of the case at that time.

>>Mary Jo Galindo: I have a motion and a second. Any discussion?

>>Arif Panju : So I will continue the discussion. So it's pretty straightforward. If the prior commission has heard this three times and three times voted on it, with objections that the law is being violated and three times it's come back, now a fourth time, if we're being asked to vote on this, I don't want this commission, this is a new commission, to be mired with the same legal issues with this item that the past commission had. And so if the staff is asking us to have a full vetting of this, great, but I'd ask staff to notify the council and the mayor that you've asked us to have a full vetting of this and any prior recommendations should be withdrawn. There is no point in, you know, pushing rewind and pushing play over and over if it's going to be meaningless, if our vote is going to mean something. And it's not just a dog and pony show. We are actually going to vet this out and the prior votes should be withdrawn if they're invalid. If they're not invalid there's no reason for us to do it again.

[7:54 PM]

>>Mary Jo Galindo: Further discussion?

>>David Whitworth: I think the reason that this is back on our agenda and we're postponing it to the 24th is because there were errors previously. The Historic Landmark Commission will be hearing it. There will be no city council action until we send our recommendation up to council from the August 24th meeting and at that time when we send our recommendation up, we can break it down for them that this is the only recommendation up for consideration. And so I think that that would be clear enough. There's probably plenty of work for them to do before now and when we send our recommendation up and the point you're trying to make, I think will be made at the time we send it up. So I'm happy with the second motion.

[7:55 PM]

>>Arif Panju: Excellent. So I'll support Ms. Reed's motion as well but to be clear, to be fully transparent, and council deals with a lot of issues. But If we're gonna vote on this for four times and

neighbors came down and took time out of their days to object that the code is being violated but the former commission voted through anyways, over those objections, only to have to come back and them also have to take time out of their day to come back a second time, so this is the fourth time the neighbors are having to come here because the code is violated even though they're the ones that told us the code is being violated. And so my sincere hope is that if we're gonna vote on this for a fourth time and have a recommendation for council and for the mayor that we do so in explicit and transparent fashion and we explain to them what was wrong with the last three votes and perhaps staff can have something prepared for us that we can add to whatever we're gonna recommend just, at least, describing succinctly what happened the first three times so it doesn't happen again. We're wasting a lot of people's times. I know it's a long time to be sitting out in the crowd for one meeting. Imagine four on the same thing. So I'll support your motion as well and I guess we have a second so we can vote on it.

[7:56 PM]

>>Mary Jo Galindo: Thank you! All those in favor please say aye?

>> All voices: Aye.

>>Mary Jo Galindo: Opposed? Hearing none it passes. The case is postponed till August 24.

>>Steve Sadowsky: August 24.