

# Gentrification, Historic Preservation, Public Housing and Human Rights



BUSINESS

## Is Gentrification a Human-Rights Violation?

A Brooklyn-based group is arguing that the displacement of longtime residents meets a definition conceived by the United Nations in the aftermath of World War II.

No one will be surprised to learn that the campaign to build a national movement against gentrification is being waged out of an office in Brooklyn, New York.

For years, the borough's name has been virtually synonymous with gentrification, and on no street in Brooklyn are its effects more evident than on Atlantic Avenue, where, earlier this summer, a local bodega protesting its impending departure in the face of a rent hike, put up sarcastic window signs advertising "[Bushwick baked vegan cat food](#)" and "[artisanal roach bombs](#)."

Fred L. McGhee, Ph.D.  
Austin Human Rights  
Commission

October 26, 2015

# Gentrification

— [ Gentrification has many definitions. It often depends on who is doing the defining.

— [ One key factor is the issue of *displacement*, the removal of a longtime population, usually poor and pigmented, and its replacement by a more upwardly mobile, childless, and white population.

— Even when one controls for factors such as income or education level, this has largely been the case in Austin.


# Austin Gentrification

- [ Gentrification also involves questions of history and culture. Is Austin's former Negro District historic? If not, why not?
- [ Questions of value, power and real estate are often overshadowed by an ostensibly neutral focus on concerns such as demographics, "planning," zoning or in Austin, pets and food, among others.
- [ "Quality of Life" concerns in 2015's Austin do not include the right of a people to maintain its culture via protection of its heritage.





## These Historically Black Neighborhoods Are Now Out of Reach for the Average Black Family

 By Mathew Rodriguez September 09, 2015

While food, clothing and shelter may be the most basic human needs, mere survival also means having the ability to purchase them.

The cost of living: The amount of money the average black family has to cover its needs is not very high. According a [2013 U.S. Census report](#), the average black family earned \$34,958 versus the average for all races of \$51,939. For the average black family living in cities, this distinction means rent prices are simply too high, as [the cost of renting](#) nationwide is rising.

"[White flight](#)" became the standard of the mid-1900s, as white families left major cities for the suburbs, leaving behind people of color, [urban blight and mass disrepair](#). Banks also resorted to [redlining](#): refusing to lend money to people in cities to start businesses or buy property. Decades later, as young people [especially flock to cities](#) in record numbers, they're bringing jobs and economic opportunities with them, but many areas are now financially out of reach for those who lived there before the influx of money and services.

This is called gentrification. British sociologist [Ruth Glass](#), who first wrote about gentrification in her 1964 book, *London: Aspects of Change*, wrote that gentrification is rooted in class privilege. Where an area may have been reserved as a last opportunity for people with nowhere else to go, those going into the neighborhood could elect to live there — and have the means to leave.



## Central East Austin, Austin



Source: [Mic/Flickr](#)

The neighborhood of East Austin was [established](#) in the late 1920s to segregate its black population. The area was already home to many of its black segregated schools, and it soon became a commercial and residential hub for black Texans. Over time, the area became an archetype of urban blight in the 1960s as integration happened in Austin.

These days, however, as more people flock to Austin, this area has become a hub for development. When asked about changing face of the area, Dr. Emily Skop of the University of Texas told [KLRU](#), "The pressures of development and the tremendous amount of change that is going on in that part of the city, suggest to me that this is indeed what is going to happen." The city's black community decreased by 5.4% between 2000 and 2010, according to [CNN](#). East Austin resident Exalton Delco told CNN, "now newcomers are getting exorbitant prices for the homes, and that drives up the cost."

Current listings in central East Austin showed no two bedrooms available, but there were some three bedrooms.



# Gentrification and Historic Preservation

— [ When city planners declared East Austin to lie in a so-called “Desired Development Zone” in the late nineties, they also made judgments about the comparative value of East Austin’s natural and cultural environment.

— “Greenbuilding” as well as certain external judgments about what would be in East Austin’s best interest, became excuses for the destruction of many eligible East Austin historic landmarks.

— [ City of Austin officials have employed racial and ethnic double standards when it comes to the application of supposedly empirical historic preservation criteria, and have passively and actively supported the gentrification of East Austin in a variety of ways.

— Policy decisions are not the only way this discrimination works; administrative malfeasance, inexperienced decision-making on the part of the Historic Landmark Commission, and special interest politics also play a role.

— Much has been lost. A major consequence of these decisions has been a lack of a proper accounting of the damage done to the heritage of East Austin.

# How Historic Preservation in Austin Really Works

— [ In Austin, historic preservation has become a property tax reduction tool for mostly wealthy, mostly white West Austinites.

— Even a cursory review of the city's list of historic landmarks conveys the impression that East Austin either has no history or that its history is not as important.

— A typical sample from 2009:

— "The 25 cases up for a vote today are in the Pemberton Heights, Old Enfield, Old West Austin and Judges' Hill neighborhoods. They represent a variety of architectural styles, and the former owners cited as significant in the applications include a college professor, a saddlemaker, an auto dealer, a lumber company owner, an oilman, doctors and judges. One application cites a University of Texas dean who never lived in the house; his widow did."

— Sarah Coppola, *Austin American-Statesman*, Dec. 17, 2009

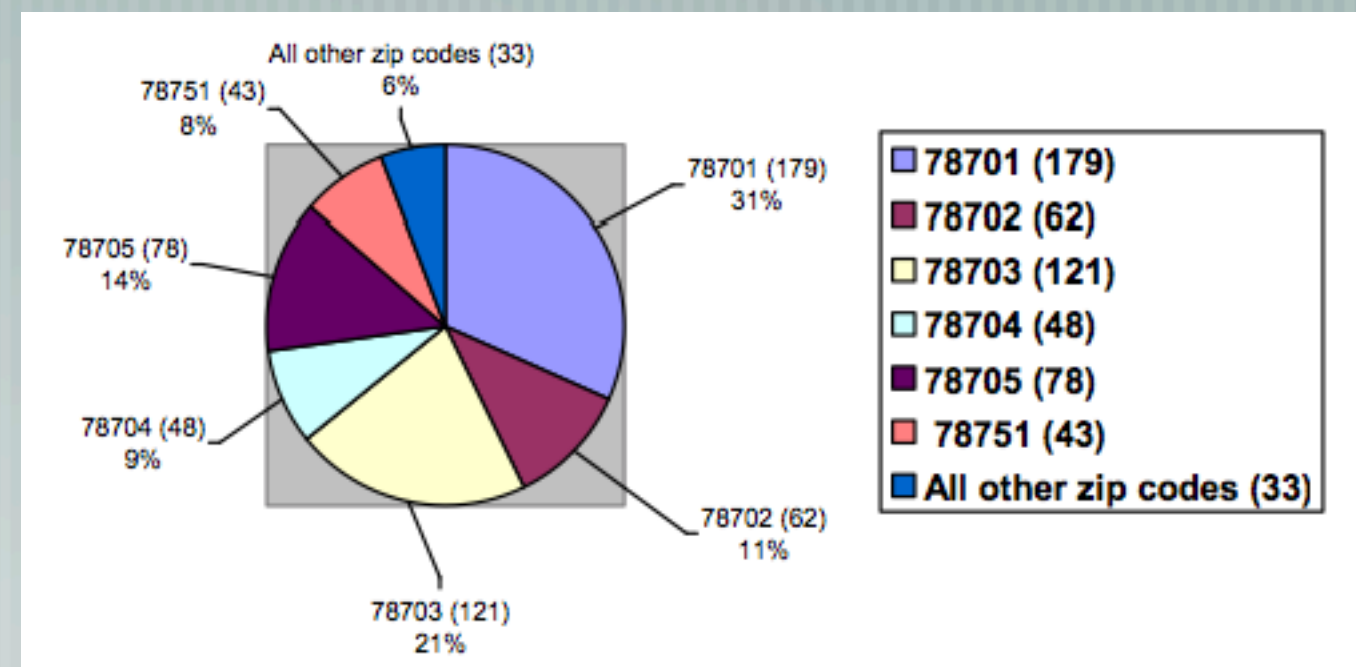
# How to Mislead with Data

This pie chart furnishes location information for the city's historic landmarks as of 2011.

78702, one of the most gentrified and gentrifying zip codes in America is listed as containing 62 landmarks.

But how many of these landmarks commemorate the black history of Austin? How many are located in the former Negro District?

Even so 62 out of 564 landmarks is only 11 percent. Does this zip code only contain 11 percent of Austin's history?





# Historic Properties in East Austin

- [This 2000 survey report looked at the historic resources of East Austin built before 1955.
- [The survey only identified buildings; it did not list other properties eligible for the National Register such as archaeological sites or Traditional Cultural Places (e.g. cemeteries).
- [The boundary of the study was limited to Central East Austin. It did not include neighborhoods south of the river such as Montopolis, Dove Springs or Del Valle.
- [The report identified 496 historic properties, 105 of which were determined to be HIGH preservation priorities, 242 MEDIUM priorities, and 149 were assigned as LOW preservation priority.
- [This study furnishes a useful benchmark. How many of these properties are listed as city landmarks? How many have been demolished?

## City of Austin, Texas Historic Resources Survey of East Austin

September 2000

Revised December 2000

### Survey Report



Prepared by  
Hardy·Heck·Moore & Myers, Inc.  
Austin, Texas

# The City of Austin—Gentrifier Number One

## AUSTIN ■ HISTORY

'The school encompasses a tremendous scope of Texas history and black history. ... It needs to be commemorated, because that history is too often erased or forgotten.'

FRED MCGHEE, president of the Montopolis Neighborhood Association



Deborah Cannon AMERICAN-STATESMAN

The City Council is set to decide this week whether to keep a gym building that was once part of the Texas Deaf, Blind and Orphan School. Fred McGhee and other activists are trying to save it.

## Activists push city to preserve buildings at former deaf school

By Sarah Coppola

AMERICAN-STATESMAN STAFF

Although the buildings of the Austin/Travis County Health and Human Services Department campus in East Austin look boxy and plain, they hold a rich history.

They were once home to the Texas Deaf, Blind and Orphan School — one of the first in Texas and the nation to educate black students with disabilities.

The health department wants to demolish some buildings on the Airport Boulevard site to build an animal shelter and possibly new offices.

A few historians and neighborhood leaders

@ statesman.com

Watch a video interview with Fred McGhee, president of the Montopolis Neighborhood Association, with this story online.

are fighting to save the two biggest structures, the auditorium and gym. They want the City Council to declare those buildings historic landmarks, to honor the school's past.

"The school encompasses a tremendous scope of Texas history and black history, from the Reconstruction era to integration. It needs to be

See **PRESERVE**, B3

## A History of the Texas Blind, Deaf, and Orphan School

Austin, Texas



William M. Holland (1841-1907)

First superintendent of the Deaf and Dumb and Blind Asylum for Colored Youths

City of Austin Historic Preservation Office  
June, 2009

An unfortunate 2009 example of how the City of Austin does historic preservation in East Austin at *public* not private sites that are *overwhelmingly* historic and convey irreplaceable heritage and culture.

The Texas Historical Commission recommended preservation of the last two remaining buildings at the formerly segregated Texas School for the Deaf.



# The City of Austin—Gentrifier Number One

City staff have a long track record of supporting official city gentrification policies in East Austin, particularly at African American sites.

Demolition through benign neglect is a violation of National Register rules (and the city's own policies), but it has happened *on city property*.

Regarding private property, a cursory review of demolition permits granted between 2005 and 2015 reveals that city historic preservation staff supported demolition of historic East Austin properties in nearly every case.

Not the case in West Austin, where city staff not only routinely questions demolition permits, it routinely supports historic zoning against a property owner's wishes, especially when members of Austin's bourgeois preservation community desire it.

The house at 3805 Red River is one noteworthy recent example.

## Juniper-Olive project

City-owned homes slated for demolition or renovation.

**Demolition** **Renovation**

Historical house being restored, and part of the new African American Cultural and Heritage Facility opening in 2012.



Source: Austin Housing Finance Corp.

Linda Scott AMERICAN-STATESMAN

The landmark commission approved the city staff's request for the demolition at 905 Juniper. Myers said she was out of town when the vote occurred.



# Improper Management

The city's official online list of historic properties has not been updated in over four years.

The link on this page: <https://www.austintexas.gov/department/historic-landmarks>

Goes to this document which was last updated in 2011: [http://www.austintexas.gov/sites/default/files/files/Planning/Historic\\_Preservation/Austin\\_Landmarks\\_by\\_Address.pdf](http://www.austintexas.gov/sites/default/files/files/Planning/Historic_Preservation/Austin_Landmarks_by_Address.pdf)

The city's official list of National Register Districts omitted the Santa Rita Courts Historic District for over seven years.

The response of city officials was as follows:

"I believe it may have been initially left off because the purpose of the list was for property owners to be able to look to see if they are in a district. Santa Rita has only a single owner so its inclusion would not have served that purpose. Regardless, it is a National Register District so we have added it to the list. Thanks for bringing it to our attention."



# The Rosewood Courts Historic District

August 24, 2015 Historic Landmark Commission Meeting

## Numerous Irregularities:

- The agenda was manipulated to delay the Rosewood Courts historic zoning case for as long as possible. Supporters, including those with mobility impairments had to wait for hours.
- None of the final commission votes were announced by the chair. Supporters left the meeting believing that the commission had supported historic zoning by a 4-2 vote, only to find out later that the vote was in fact 3-3. The commission has 11 members.
- None of the commissioners talked about the history of Rosewood Courts or rendered a judgment about whether and how it meets *all five* of the necessary criteria for recognition (only 2 are required). They discussed the Austin Housing Authority's plan instead.
- The city staff's presentation was riddled with basic errors. Lyndon Johnson's role in bringing the housing to Austin was misrepresented, as was the basic timeline of Rosewood Courts' construction.
- General unprofessional behavior:
  - No communication with the applicant before or after the meeting.
  - Changing the vote without notification, changing meeting minutes of previous HLC meeting.

# East Austin Historic Landmarks

A review of the most recent list of historic landmarks published by the historic preservation office on the city's website indicates that the number of city landmarks commemorating the black heritage of East Austin is:

8

The list: Evans Hall, Huston-Tillotson University, Metropolitan AME Church, Victory Grill, Limerick-Frazier House, Carver Museum, Howson Community Center, Madison Log Cabin, Huston-Tillotson Administration Building. The Brewer House on 1108 Chicon was also listed but has since been demolished.

Note: the "Negro District" created by the 1928 Master Plan isn't listed, although its boundaries largely correspond to the African-American Cultural Heritage District. But the AACHD is *not* a National Register or Local Historic District. Consequently, it offers no zoning protection for historic sites.



# This Isn't New: The 2010 Audit of the Historic Landmark Commission

Problems at the city's historic preservation department date back years. Efforts on the part of the last at-large council to address the situation have not fixed fundamental problems identified by the city auditor in this 2010 document, such as:

- Not following Robert's Rules

- Problems with city staff not furnishing adequate support to HLC members to assist them in carrying out their duties

## Other Problems:

- This commission has a serious public accountability problem.

- Website data is woefully out of date.



### Austin City Council

**Mayor**  
Lee Leffingwell

**Mayor Pro Tem**  
Mike Martinez

**Council Members**  
Chris Riley  
Randi Shade  
Laura Morrison  
Bill Spelman  
Sheryl Cole

**City Auditor**  
Kenneth J. Mory  
CPA, CIA, CISA

### Historic Landmark Commission Audit

**March 23, 2010**

Office of the City Auditor  
Austin, Texas

# Institutional Foot Dragging, Information Asymmetry, and the Need for Greater Public Accountability

Publicly available data should include:

monthly updates of zoning cases

certificates of appropriateness

national register district cases

demolition or relocation applications

local historic district cases

tax exemption cases.

Supporting data for landmarks and local historic districts, including application forms.

All publications of the department (such as the BD&O report in an earlier slide) should also be made available via the city website.

The historical survey wiki at right has been in the works for years. Why is it still in beta form? And why does it not list sites such as the Santa Rita Courts Historic District either?

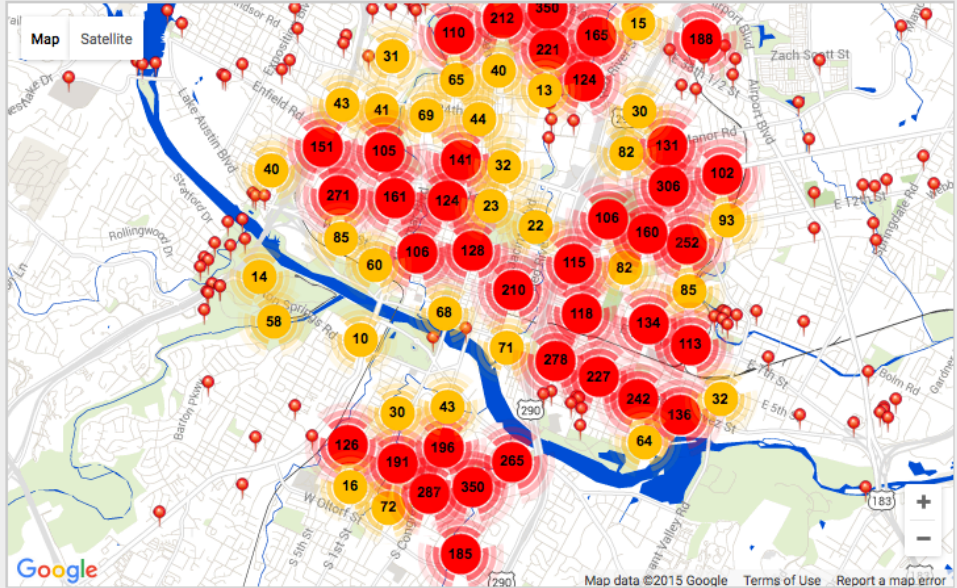
Why not use Google? They already have a rather cozy relationship with the city.

## austin historical survey★wiki

Map Find Places Guide Contact

Search any or all parts of an address. Enter numbered streets like "16th St". Or use the [Advanced Search](#)

[City of Austin Landmarks](#) | [Demolished Places](#)



The Austin Historical Survey Wiki is a new interactive tool for the City of Austin. The Wiki allows you to find and contribute information about historic buildings, sites, and landscapes of the past and present that tell the history of Austin.

[Find Places](#) to see what has been added to the Wiki.  
[Create a login](#) to add or edit place records.  
[Learn more](#) about the project on the Wiki User Guide.

**Wiki Stats:**

Places:	<b>10336</b>
Images:	<b>4356</b>
Documents:	<b>1249</b>
Users:	<b>305</b>
Survey Efforts:	<b>23</b>

The information on the Austin Historical Survey Wiki is continuously being produced by numerous citizens and professionals. It is a working model for sharing information. If you see something that appears to be incorrect or incomplete, you are invited to log onto the Wiki and submit an edit. No warranty is made by the City of Austin regarding its accuracy and completeness.

This project was funded in part through the City of Austin, a Certified Local Government Grant administered by the Texas Historical Commission, and a Preserve America grant by the Department of the Interior, National Park Service. Any opinions, findings, and conclusions or recommendations expressed in this material are those of the author(s) and do not necessarily reflect the views of the Department of the Interior.

The Austin Historical Survey Wiki receives Federal funds from the National Park Service. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination in departmental Federally Assisted Programs on the basis of race, color, national origin, age or handicap. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Director, Equal Opportunity Program, U.S. Department of the Interior, National Park Service, P.O. Box 37127, Washington, D.C. 20013-7127.

Data may be exported to a Comma-Separated Values (CSV) spreadsheet via the following link (Note: download may take several minutes to process): [Full CSV Export](#)



# How the Human Rights Commission Can Help

Gentrification is a human rights violation that falls within the purview of this commission.

The practices of city planners have produced *de facto* examples of systematic racial and ethnic discrimination when it comes to the landmarking or non-landmarking of historic properties in our city.

Conduct research, obtain factual data, and hold public hearings regarding the role city historic preservation practices have played in the destruction of the heritage of East Austin. The active and passive destruction of this heritage has been and continues to be a violation of the human rights of East Austinites. In a city that has been experiencing rapid demographic changes, the willful destruction of this history is not just a shame, it is an act of violence.

# How the HRC Can Help

# Investigate the Rosewood Courts historic zoning case.

How is it that one of the most obviously historic properties in the country (not just the city) an obviously historic property that meets ALL FIVE criteria for historic designation (only two are necessary) and that was already approved by the Historic Landmark Commission in January, 2014 was rejected as a city historic landmark?



Visit [www.preserverosewood.org](http://www.preserverosewood.org) to learn more.

“Who controls the past controls the future. Who controls the present controls the past. ”

George Orwell, *Nineteen Eighty Four*, 1949

“The past is never dead. It’s not even past.”

William Faulkner, 1951

“The open housing ordinance. And they had a petition of recall—I mean a referendum on that, and it passed. And do the ordinance was null and void. And so that the list that they got up around, “Do you want a nigger living next door to you?” That’s what they did.

Emma Long, 1981