

WEST UNIVERSITY NEIGHBORHOOD ASSOCIATION (WUNA)

APPEAL OF TWO CERTIFICATIONS OF DEMOLITION

1207 & 1209 West 22 ½ Street, Austin 78705

HISTORICAL CASE NUMBER: HDP-2016-0468 AND HDP-2016-0469

REVIEW CASE NUMBER: PR-2016 AND PR-2016-075545

## TABLE OF CONTENT

1.	Objections to Staff Recommendation Report .....	4
2.	The City Of Austin’s and the National Register Requirements for Historical Landmark .....	6
I.	Properties are at Least 50 years old and represents a period of significance .....	7
II.	Properties Retain a High Degree of Integrity as Defined by National Register .....	9
III.	Properties Demonstrate Significance in at least two of the Categories Listed in § 25-2-352 (A)(3)(b)(i) .....	10
	Architecture Criteria, § 25-2-352 (A)(3)(b)(ii) .....	10
	Historical Associations, § 25-2-352 (A)(3)(b)(ii) .....	12
	Community Value, § 25-2-352 (A)(3)(b)(iv) .....	12
6.	Conclusion .....	13
7.	Exhibits	
	A – February 1930 Deed to 1207 & 1209 West 22 ½ Street	
	B – Early 1930 Sanborn map of West 22 ½ .....	1
	C – 1206, 1207, 1208, 1209 West 22 ½ Street Photos .....	1
	D – National Register Manual for State Historic Preservation Review Boards .....	1
	E – National Register Architectural Style Guides and Dictionaries .....	1
	F – National Register Criteria for Evaluation .....	1
	G – National Register Glossary of National Terms .....	1

H – Vernacular Architecture .....	1
I – A Field Guide To American Homes by Virginia and Lee McAlester .....	1
J – Central Austin Combined Neighborhood Plan (pertinent parts only) .....	1
K– Sample of Central Austin Spanish Eclectic Homes .....	1
L – Public Request for Information to the City of Austin .....	1

## Objections to Staff Recommendation Report

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We have several objections as to the form of the Historical Preservation Office's report to the Historical Landmark Commission regarding 1207 West 22 ½ St. and 1209 West 22 ½ Street. First, the staff combined two properties into one report and essentially used only two references: a 1935 map and City Directory obtained at the Austin History Center. The City Directory Research is reviewing old telephone books. This research assumes everyone who lived on the two properties had a telephone in the 1930's. The Historical Office's decision to release the demolition permit was based on one map and old phone books. There was no reference to the Criteria for Historical Designation.

The Historical Preservation Office's one-page report contains several errors, which mirrors the concerns identified in the February 2017 City Auditor's Report. Specifically, the Audit Report found that staff does not provide justifications for administrative approvals, and such justifications are not documented. The approval of these two demolition permits, which were administrative approvals, was put on the consensus docket without any justification or documentation, other than a map and a listing of the tenant from the City of Austin Directory. A Public Information Request yielded no additional information. (See Exhibit - L).

The report states that the permits cover a "twin four-plexes" built as single-family houses in 1929-1930. The two properties are not four-plexes: 1207 is a four-plex and 1209 is a tri-plex. Additionally, each structure is not one story; both dwellings are two stories, with stairs on the back-end of each house. This error occurred because the staff did not conduct a visual inspection of the houses. The finding that each structure is a single-family dwelling is an example of the Audit Reports concerns that "inspections are only done for a subset of properties and are not consistently documented." These two dwelling were obviously not part of a subset of properties that are inspected.

The report states that the houses were built in 1929-1930. With no research and using the 1920 Sanford map, it's clear that in 1920, West 22 ½ Street did not exist beyond Rio Grande Street, five blocks away from these dwellings. The report provided a February 1929 water permit for 1207 West 22 ½. Based on the deeds, L.B. Shaw bought the property in February 1930 (See Deed Register and Deed – Exhibit B).

The report further states "it would be unfortunate to lose these twin four-plexes, as they represent a popular style of their time, and are part of the historical fabric and character of this neighborhood when it was an area occupied by professors and others associated with the University of Texas." With appropriate research, the Historical Preservation Office would have discovered that within two blocks of these houses, at

least four professors own their homes, one current employee owns his house, and four/five retired employees still own homes in this area.

The report sadly concluded that “staff cannot say that either of these houses qualify as a historical landmark, so if the applicant is dead-set on demolishing them, then staff must recommend release of the permits ...” This conclusion is in direct conflict with the City of Austin’s ordinances §§ 25-2-352 and 25-2-355. The Historical Preservation Commission, relying on the Historical Preservation Office, “shall consider the criteria established in Section 25-2-352 (Historical Designation Criteria), which requires the Historical Preservation Office to review “all applications for total demolition of buildings over 40 years old. In this case, there was no review

In this case, the Historical Preservation Office failed to mention any of the Criteria required to be considered a historical property. There was no documentation provided, even after a Public Information Request was filed for information supporting the Reports conclusion. (See Exhibit-L). The staff report recommending demolition was required to consider the Criteria established by the City’s ordinance and report it to the Historical Landmark Commission to review and vote. The report never mentioned any of the Criteria required to accept or reject a property as a historical landmark.

Sadly, the report admitted that the staff could not “*say that either of these houses qualify as a historical landmark.*” This conclusion does not provide any information on how the demolition application meets the House Code requirements. The report also fails to address any of the Historical Designation Criteria and explain how the subject properties does or do not meet the required Criteria. In order to issue a demolition permit, the Historical Preservation Office must apply each Criteria to each house and determine if the property meets the Criteria. In this case, the Criteria were never applied.

The Historical Preservation Office’s goal is to preserve historical landmarks not to say they don’t know if a structure is historical! The simple conclusion of the February 2017 Audit report applies to this appeal: “The Planning and Zoning Department is not effectively administering the historic preservation program, which may prevent the program from achieving its objectives.”

The Audit Report reiterated that the COA’s overall goal of “historic preservation program is to protect and *enhance neighborhoods*, buildings, and *sites that reflect elements of Austin’s cultural, social, political, and architectural history.*” The Audit Report found that the Planning and Zoning Department was “not effectively administering the historical preservation program.”

WUNA is requesting that the Land Development Board reject the demolition permit on the basis that the Historical Preservation Office failed to apply any of the

Historical Criteria and failed to document the historical status of the dwellings. Second, as discussed below, WUNA believed that the structures are historical and has provided support that both dwellings meet the City of Austin's definition of a historical landmark.

### The COA's and National Register Requirements for Historical Landmark

The City's Historical Designation Criteria contained three major Criteria and a property must meet two of the three following Criteria. Specifically, §25-2-352 requires the following:

1. The property must be 50 years old and represents a period of significance of at least 50 years old;
2. The property retains a high degree of integrity, as defined by the National Register of Historical Places, that clearly conveys its historical significance and does not include an addition or alternation which significantly compromised its integrity; and
3. The property is individually listed in the National Register of Historical places... or demonstrates significance in at least two of the following categories:
  - a. Architecture. The property embodies the distinguishing characteristics of a recognized architectural style, type, or method of construction. There are seven sub-categories that will be address below.
  - b. Historical Associations. The property has long-standing significant associations with person, groups, *institutions*, businesses ... which contribute significantly to the history of the city, state, or nation ...
  - c. Archeology.
  - d. Community Value. The property has a unique location, physical characteristics, or significant feature that contributes to the character, image, or cultural identify of the city, a neighborhood, or a particular group.
  - e. Landscape Feature.

WUNA believes that the two properties on West 22 ½ meet or exceed the Historical Designation Criteria required by City ordinance. Specifically, the two dwellings meet the following:

1. The property is at least 50 years old and represents a period of significance of at least 50 years old. §25-2-352 (A)(1)
2. The property retains a high degree of integrity, as defined by the National Register of Historical Places. . §25-2-352 (A)(2), and
3. The property demonstrates significance in at least two of the following categories. §25-2-352 (A)(3)(b)(i), (ii), and (iv)
  - a. Architecture. The property embodies the distinguishing characteristics of a recognized architectural style, type, or method of construction. There are sub-categories that will be address below.
  - b. Historical Associations. The property has long-standing significant associations with person, groups, and institutions, businesses that contribute significantly to the history of the city, state, or nation ...
  - d. Community Value. The property has a unique location, physical characteristics, or significant feature that contributes to the character, image, or cultural identify of the city, a neighborhood, or a particular group.

### Both Dwellings Meet Requirements for Historical Landmark Designation

In order to understand the Criteria set by the City of Austin, WUNA reviewed the Manual for State Historical Preservation Review Board by the US Department of Interior. This reference describes the Board's role in identifying historical property. (See Exhibit - D for the Manual).

#### I. Property is at least 50 years old and represents a period of significance

To determine whether the property was at least 50 years old and represents a period of significance of at least 50 years, we reviewed the Deed to 1207 & 1209 and believe they were bought in February 1930. The early 1930 Sanborn map shows that

the houses were built as a duplex with *stucco* exterior and a courtyard facing the street. (See Early 1930 Map – Exhibit-A). The question was did 1207 & 1209 West 22 ½ Street retain a high degree of integrity and represent a period of significance of at least 50 years.

The question remains whether the dwellings represent a period of significance of at least 50 years old. WUNA has two basis for believing that the 1930s, the period the two dwellings were build, was a period of significance.

During 1921 and 1940, the WUNA area had a major housing development boom. The 1920 Travis County Platt map shows that 22 ½ Street were being divided into lots. By the early 1930s, the Sanborn map shows with the exception of two parcels, all lots from Leon St. to the end of West 22 ½ were developed. The Central Austin Combined Neighborhood Plan documents the period between 1910-1940 as significance. As early as the 1920, the University of Texas has had a significant influence on this neighborhood. In addition to identifying thriving businesses in this area, the Neighborhood Plan documents the education connection between the University and this area. Beginning around 1910, this area saw the residence at 1216 W. 22<sup>nd</sup> street being a family home to Robert H. Cuyler, a cement contractor. His father, Robert Sr., was a UT Professor of Geology. In 1910, James Miller, a proprietor of Capital City Diary built a house at 1305 West 22<sup>nd</sup> Street and sold the house to Oliver & Jacoba Radkey. Dr. Radkey was a Professor or Russian. Other notable professors are listed on page 38 of the CACNP Report (See Exhibit-J).

Besides the notable collection of former University of Texas faculty, a number of University staff called West University home. These include librarians, editors, secretaries, and the first women physician in Austin who worked at the University. Other merchants, businessmen and the Adams Extract Vanilla Factory made the West University are their home during the 1920 through the 1940.

The growth experience in the West University area was being experience by all the neighborhoods surrounding the University of Texas. (See CACNP, pp. 21-29). Many of the homes in the areas surrounding the University are duplexes or some form of multi-family. This type of construction included the Spanish Eclectic style.

Second, WUNA believes that a review of the Architectural Styles Guides and Dictionary recognizes the example of the type of architecture style these two properties represent. In “A Field Guide to American Homes,” by Virginia and Lee McAlester, a resource recognized by the National Historical Preservation, the styles of the dwelling is considered Spanish Eclectic style that was popular between 1915-1940, the same time period many of these style homes were being build in the neighborhood surrounding the University. The Spanish Eclectic style home was built in the southwest states, particularly Arizona, Florida, Texas, and California (See Field Guide to American Homes, Exhibit-I).



A rare coincidence is the fact that there are TWO other houses at the end of this street, which may be considered Spanish Eclectic. More detailed information will be provided below. It is important to note that finding these houses across the street from each other that were built in the same period is more evidence that the owners were trying to develop housing for the thriving University, all using the popular style of that time.

II. Properties Retains a High Degree of Integrity, as defined by the National Register of Historical Places

Historical Integrity as defined by the National Register of Historical Places is: the ability of a property to convey its significance. The National Register criteria recognize seven aspects or qualities that, in various combinations, define integrity. Integrity is a quality that applies to location, design, setting, materials, workmanship, feeling, and association. In terms of architectural design, integrity means that a building must still possess the attributes, scale, decoration, etc., from its Period of Significance, that is from either (1) the period in which it was conceived and built, or (2) the period in which it was adapted to a later style which has validity in its own right as an expression of historical character. The question of whether or not a building possesses integrity is a question of degree of alteration. For a building to possess integrity, its principal features must be sufficiently intact for its historical identity to be apparent. (See Manual, pp.12-13).

Both 1207 & 1209 maintain integrity and its excellent location to serve University faculty, students and staff. Their design, setting, materials (stucco) workmanship and feel of the house are completely in line with the Spanish Eclectic. The white house across the street clearly shares its tile roof, court yard, 1:1 fenestration, decorative vents, and flared house edgings, all of which are part of the Spanish Eclectic. The third house, green, across the next door also had 1:1 fenestration, and originally had spiraled columns beside the entryway and red tile roofs. It currently has a curved window with decorative vents. (See Field Guide to American Houses, p. 423 and pictures of 1207, 1206, 1208, and 1209- Exhibit- C). 1207 & 1209 W. 22 ½ Street principal features are sufficiently intact for its historical identity to be apparent. They represent a unique example of Spanish Eclectic applied to a modest building. This style applied to a modest house is so rare because houses of this type have been demolished.

III. The property demonstrates significance in at least two of the seven categories listed in (A)(3)(a)(i). We will address three categories:

- a. Architecture. §25-2-352 (A)(3)(b)(i)
- b. Historical Associations. §25-2-352 (A)(3)(b)(ii)
- d. Community Value. §25-2-352 (A)(3)(b)(iv)

A. Architecture. § 25-2-352 (A)(3)(b)(i)

The property embodies the distinguishing characteristics of a recognized architectural style, type, or method of construction.

1. The property embodies the distinguishing characteristics of a recognized architectural style, type, or method of construction.

The properties retain a high degree of Spanish Colonial Revival or as is known as Spanish Eclectic. It was built during the period that Spanish Eclectic was popular, 1915-1940 and had some of the characteristics such as the 1:1 fenestration, decorative vents, tile roof, and stucco. It could arguably that certain features go back to the Mission building period of 1890-1920. The properties also share a flared edge on each side of the house. (See Field Guide to American Houses, Exhibit-I, pp.427, 429).

The identifying features of a Spanish Eclectic houses is low-pitched roof, usually with little or no eave overhand; red tile roof, and stucco wall surface with an asymmetrical façade. Although carved doors are typical of Spanish architecture, these were more common on high-style Spanish Eclectic houses such as 1208 West 22 ½ Street. Many of these homes have at least one large focal window that is commonly triple-arched. Although a triple-arched window is not present at 1207 & 1209 W. 22 ½ St., both houses have a triple-pane casement window as a focal point. (See Field Guide to American Houses, Exhibit-I).

2. The property represents a rare example of an architectural style in the city. As Austin had grown, many homes around the University area have been demolished. Since the Spanish Eclectic period ended in the 1940s, many of the home being built from 1915-1940 were close to the University or close to the center of town. Research for this Appeal has shown that two side-by-side stucco Spanish Eclectic multifamily dwellings are rare. We have provided example of the Spanish Eclectic homes that still exist in the North University Neighborhood Association, and Travis Heights. (See Exhibit-K). Two other homes on Palma Plaza, in the Enfield area, have been demolished. Both the Palma Plaza homes represented a multi-family dwelling, stucco exterior, and curved windows. It will be almost impossible to find two side-by-side, Spanish Colonial Revival homes with a U-shaped courtyard.

3. The property possesses cultural, historical, or architectural value as particularly fine or unique example of a utilitarian or vernacular structure. The pair of houses on 22 1/2 Street is an excellent example of the early 20th-century vernacular architecture in Austin's West Campus neighborhood. They reflect the adaptation of national taste to local conditions, in a modest scale and in a duplex form suited for the neighborhood's college-oriented population.

Since the 1960s, historic preservation activities have focused increasingly on the importance of vernacular architecture and cultural landscapes. From a vernacular perspective, individual buildings gain significance as part of a streetscape and a neighborhood that is cohesive in scale and feeling. The cohesiveness of the architecture is accorded significance that is not dependent on associations with prominent residents or significant events. Groups such as the Cultural Landscapes Foundation and the Vernacular Architecture Forum have emerged to document and advocate for more modest architecture.

The Manual outlining the National Park Service standards for National Register listings has a good answer with respect to the importance of vernacular architecture:

## 12. What are the criteria for listing vernacular architecture?

Vernacular architecture is important because it reflects significant patterns of life in particular regions. Criterion C, which includes historic resources "that embody the distinctive characteristics of a type, period, or method of construction, or that possess high artistic values or that represent a significant and distinguishable entity whose components may lack individual distinction," is often applied to regional types, periods, and styles of vernacular resources. Such native resources are increasingly recognized as vital parts of the variety of American culture, especially as they become more scarce. Vernacular resources may convey a sense of historically common, but now rare or nonexistent, lifestyles or design patterns. Frequently the historic patterns and architectural features associated with vernacular construction reflect a major component of an area's culture. **Such resources might be modest in scale and simple in design and craftsmanship, yet are as legitimately historic as any other Register listing.** [Emphasis added].

Our dwellings on 22 1/2 street are an excellent example of vernacular architecture in the University's west campus. Both dwelling were created to house faculty, staff, and students in a cohesive neighborhood landscape that the dwellings contributed to without interference that most multi-family dwellings create in a neighborhood. More importantly, the dwellings shared an architecture style with two houses across the street.

B. Historical Associations. § 25-2-352 (A)(b)(ii)

The property has long-standing significant associations with person, groups, institutions, businesses ... that contribute significantly to the history of the city, state, or nation ...

The Manual outlining the National Park Service standards for National Register listing has a good answer with respect to the definition of local significance:

“association refers to the direct connection between the property and the area of significance for which it is nominated. For a property to be significant for an association with an institution or an individual, the individual should have lived, worked, or been on the premises during the period in which the person accomplished the activities for which the individual is considered significant. Period of significance refers to the span of time during which significant events and activities occurred.

The historical association is the cultural practices at the time the dwellings were built. The quality of integrity, which the property is linked, is important because it was a period of providing families and students housing close to the University. It contributed to and continues to contribute to maintaining a family-like neighborhood environment in the only remaining neighborhood west of the University. An old example that still thrives in our community today, Eeyore’s Birthday Celebration, which attends by students, neighborhood families and the greater Austin Community.

The cultural practices of the West University area was to live and work among people who were associated with the University. In addition to the Central Austin Combined Neighborhood Plan, the Historical Preservation Office’s research on City directories shows University faculty, staff, and students occupied both dwelling. The dwelling contributed significantly to a time period where work and home were close and you see your neighbor at work. This historical association is similar to Vernacular Vernacular architecture -- it reflects significant patterns of life in particular regions. These dwelling contributed to life style of walking to work, seeing your neighbors, and being able to afford to live west of the University. This represents a significant portrayal of the cultural practice of the University community and reflects a way of life of a definable group of people during a historical time within the University community and near by businessmen such as employees of Capital City Dairy and Adams Extract Company, located on 22 and San Gabriela, the border to the West University Community.

C. Community Value. § 25-2-352 (A)(b)(iv)

The property has a unique location, physical characteristics, or significant features that contributed to the character, image, or cultural identity of the city, or neighborhood, or a particular group.

The dwellings have a unique location in the WUNA neighborhood. They are at the end of West 22 ½ Street, a dead end that has one set of stairs leading down to Lamar and another set leading to Shoal Creek. The house is part of an intact streetscape that has maintained its integrity since the 1940s. All house have the same set back, most are one-story buildings and were built individually. The subject dwellings have the same Spanish Eclectic style that two other homes on the same block, for a total of four homes of the same style. The street has old oak trees and other native trees, and all the building is approximately the same scale. The subject dwellings contribute to the neighborhood feel that has an urban planning aspect to the whole street that is only two blocks long.

When the Central Austin Neighborhood Plan began work years in April 2002. In recognition of the importance of the University to all central Austin neighborhoods, Austin City Counsel passed a resolution instructing the Neighborhood Planning staff to engage students and four business organizations, all associated with the University. The planning team included at least one student representative from each of the seven neighborhoods represented. All neighborhoods surrounding the University acknowledged that these neighborhoods are fluid in nature, with professors, students, staff, and homeowners sharing the same resources and space. However, their number one goal was to “Preserve the integrity and character of the single-family neighborhood.”

The subject dwellings were once home to a single family and were built to reflect that life style. Throughout time and without property building permits, additions were added, without disrupting the integrity of the neighborhood. Both structures represent a cultural identity that is very important to the City and particularly important to the University community. The structures are a contributing member of the character and identify of this neighborhood and allow for the fluidity that started in the 1930 to exist today.

As the Historical Preservation Office report stated “It would be unfortunate to lose these twin four-plexes, (sic) as they represent a popular style of their time, and are part of the historical fabric and character of this neighborhood.

## Conclusion

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In conclusion, the WUNAs request that the Land Development Board deny the demolitions permits for 1207 and 1209 West 22 ½ Street. Both these structures have historical significance and are a contributing to the character and cultural of this neighborhood. Additionally, the structures are a rare example of two side-by-side stucco Spanish Eclectic architecture that sits across the street from two other structures of the same style and period. These properties should be declared Historical. They are truly part of the historical fabric and character of this neighborhood.