

January 22, 2019 Planning Commission Agenda Question and Answer Report

- 14. Rezoning:** [C14-2018-0141 - 1903 Inverness Zoning Change; District 5](#)
Location: 1903 Inverness Boulevard, Williamson Creek Watershed; South Manchaca Combined (South Manchaca) NP Area
Owner/Applicant: Marquee Investments, LLC (Alex Bahrami)
Agent: Austex Building Consultants (Jonathan Perlstein)
Request: SF-3-NP to LO-MU-NP
Staff Rec.: **Recommended**
Staff: [Wendy Rhoades](#), 512-974-7719
Planning and Zoning Department

Question: Commissioner McGraw

Could you send the NP document that shows the Transition Zone? Is this part of the FLUM?

Is this why there was no city sponsored meeting?

I see that the next door neighbor objects. Did others weigh in?

Answer: Staff

Link to the Character District Map (also known as the FLUM) for the South Manchaca NP Area.

ftp://ftp.ci.austin.tx.us/npzd/Austingo/SACNPChar_districts.pdf

The rezoning to LO-MU-NP is allowed within the Neighborhood Transition District (as info, it allows for the SF-5, SF-6, MF-1, MF-2, MF-3, NO and LO base districts), so there is not a change in the Character District Map, and hence, not a requirement for a City sponsored meeting.

Staff has been in contact with the adjacent and across Inverness Boulevard neighbors.

Question: Commissioner McGraw

So when you say the neighbors have been in contact, do you know whether they support this? Are there any other reply sheets?

Answer: Staff

Two other adjacent neighbors have provided response sheets as of this morning and are opposed to the rezoning ([link to late backup](#)). Staff is in the process of answering emails from a group of residents on Inverness Boulevard.

20. Rezoning: [C14H-2018-0103 - Philip D. Creer House; District 9](#)
Location: 1605 Gaston Avenue, Shoal Creek Watershed; Windsor Road /
Central West Austin Combined NP Area
Owner/Applicant: Nicole Kessler, owner
Request: SF-3-NP to SF-3-H-NP
Staff Rec.: **Recommended**
Staff: [Steve Sadowsky](#), 512-974-6454
Planning and Zoning Department

Question: Commissioner Schneider

- 1) Can you give me the citation or the language from the code or other city guidance that provides direction on what factors to consider when recommending a property's zoning be made historic?
- 2) On this property:

Was there a change to the roof? It's hard to tell from the photos that we saw, but did the roof change from a gable to something else, maybe "hip-sloped" on some of the sides?
- 3) Though it's difficult to tell from the photos, did the windows change -- the window sizes and proportions?
- 4) Was the house moved/relocated?
- 5) If some of those changes were made -- changes to the roof form, the proportion of the windows, the house was relocated -- would it be typical that a designation of "historic" be approved for other properties that made similar changes? Would it establish a new precedent if a property where these types of changes were made were deemed "historic?"

Answer: Staff

- 1) LDC Section 25-2-352 sets out the criteria for historic zoning of a property. A property must meet at least 2 of the criteria to be eligible for designation:

§ 25-2-352 - HISTORIC DESIGNATION CRITERIA.

SHARE LINK TO SECTIONPRINT SECTIONDOWNLOAD (DOCX) OF SECTIONEMAIL SECTIONCOMPARE VERSIONS

(A)The council may designate a structure or site as a historic landmark (H) combining district if:

(1) the property is at least 50 years old and represents a period of significance of at least 50 years ago, unless the property is of exceptional importance as defined by National Register Bulletin 22, National Park Service (1996);

(2) the property retains a high degree of integrity, as defined by the National Register of Historic Places, that clearly conveys its historical significance and does not include an addition or alteration which has significantly compromised its integrity; and

(3) the property:

(a) is individually listed in the National Register of Historic Places; or is designated as a Recorded Texas Historic Landmark, State Archeological Landmark, or National Historic Landmark; or

(b) demonstrates significance in at least two of the following categories:

(i) Architecture. The property embodies the distinguishing characteristics of a recognized architectural style, type, or method of construction; exemplifies technological innovation in design or construction; displays high artistic value in representing ethnic or folk art, architecture, or construction; represents a rare example of an architectural style in the city; serves as an outstanding example of the work of an architect, builder, or artisan who significantly contributed to the development of the city, state, or nation; possesses cultural, historical, or architectural value as a particularly fine or unique example of a utilitarian or vernacular structure; or represents an architectural curiosity or one-of-a-kind building. A property located within a local historic district is ineligible to be nominated for landmark designation under the criterion for architecture, unless it possesses exceptional significance or is representative of a separate period of significance.

(ii) Historical Associations. The property has long-standing significant associations with persons, groups, institutions, businesses, or events of historic importance which contributed significantly to the history of the city, state, or nation; or represents a significant portrayal of the cultural practices or the way of life of a definable group of people in a historic time.

(iii) Archeology. The property has, or is expected to yield, significant data concerning the human history or prehistory of the region;

(iv) Community Value. The property has a unique location, physical characteristic, or significant feature that contributes to the character, image, or cultural identity of the city, a neighborhood, or a particular group.

(v) Landscape Feature. The property is a significant natural or designed landscape or landscape feature with artistic, aesthetic, cultural, or historical value to the city.

- 2) The roof was changed from a gable to a hip to accommodate the rear addition in a project completed last year.
- 3) The windows have remained the same.
- 4) The house is in its original location.
- 5) Council has designated the Harry Ransom House (in the same neighborhood) despite changes to the exterior (aluminum siding, replacement windows, and a relocated front door) because the house had extraordinary significance through its associations with Harry Ransom. The house was found to meet the criteria for historical associations with Harry Ransom and community value because of Ransom's importance to the city and UT. If the Planning Commission recommends the Creer House, it should be under similar criteria and noting that while the exterior of the house has changed, the importance lies in Creer's association with the house and the community value of his work at UT's School of Architecture and the city's Historic Landmark Commission, and that this importance creates an exceptional circumstance.

Question: Commissioner McGraw

- 1) In the 2008 photograph, the siding on the upper part of the house appears to be either an asbestos siding or a wood shake or shingle. I didn't see any discussion of this but it looks like it overlaps the stone veneer below. Can you elaborate on this?
- 2) While I don't dispute the importance of Philip Creer's occupation of this home and his importance, I feel there are many changes from the original and since the entire HL commission was not present at the recommendation meeting, would it be possible for PC to refer this back to the HLC for further deliberation?

Answer: Staff

- 1) The siding was replaced as part of the 2008 renovation of the house so what is shown in the photo is no longer there.
- 2) We had another house associated with Harry Ransom, which now has aluminum siding and replacement windows as well as a reconfiguration of the façade, but the HLC recommended that (TM included) because of the extraordinary significance of Ransom, which is why I brought this case forward as well, under the same consideration for extraordinary significance in historical associations. If this case is recommended, then the decision should make a finding that although the appearance has been modified, the historical associations outweigh that, and constitute an extraordinary circumstance.

Added answer from Liaison:

Staff may schedule an item for HLC's review, but PC does not have the authority to require a board or commission to review a case.

Like other Board and Commissions created under 2-1, Historic Landmark Commission is governed by Robert's Rules of Order (HLC Bylaws Article 9).

On October 22, 2018 HLC disposed of the case with an affirmative vote.

I believe HLC would need to vote to rescind their previous action (with a supermajority vote) and then vote to rehear the case (which may include re-noticing for public hearing).