

# ZONING CHANGE REVIEW SHEET

**CASE NUMBER:** C14H-2019-0148

**HLC DATE:**

August 26, 2019  
September 23, 2019  
October 28, 2019  
**November 26, 2019**

**PC DATE:**

**Council District:** 3

**APPLICANT:** Historic Landmark Commission

**HISTORIC NAME:** Edward, Sr. and Connie Rendon House

**WATERSHED:** Lady Bird Lake

**ADDRESS OF PROPOSED ZONING CHANGE:** 1705 Haskell Street

**ZONING FROM:** SF-3-NP to SF-3-H-NP

**SUMMARY STAFF RECOMMENDATION:** Staff recommends the proposed zoning change from single family residence, neighborhood plan (SF-3-NP) combining district to single family residence – Historic Landmark – neighborhood plan (SF-3-H-NP) combining district zoning.

**QUALIFICATIONS FOR LANDMARK DESIGNATION:**

Historical associations and community value.

**HISTORIC LANDMARK COMMISSION ACTION:** **August 26, 2019:** Initiated historic zoning case. Vote: 7-0 (Reed, Valenzuela, Papavasiliou, and Tollett absent). **September 23, 2019:** Postponed on the Commission's motion. Vote: 7-0 (Reed, Jacob, Hibbs, and Myers absent). **October 28, 2019:** Recommended historic zoning under the criteria of historical associations and community value. Vote: 10-0 (Reed absent).

**PLANNING COMMISSION ACTION:** **November 26, 2019:**

**DEPARTMENT COMMENTS:** The house was not recommended for historic preservation in the East Austin Historic Resources Survey (2016), most likely based upon its architectural modifications.

**CITY COUNCIL DATE:** December 5, 2019

**ACTION:**

**ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Steve Sadowsky

**PHONE:** 974-6454

**NEIGHBORHOOD ORGANIZATION:** East Cesar Chavez Neighborhood Association

**BASIS FOR RECOMMENDATION:**

**Architecture:**

The house is a simple frame box house that has been modified with the application of a stone veneer and replacement windows. The changes to the house are significant but made by Edward Rendon, for whom this house is being commemorated.

**Historical Associations:**

The house appears to have been built in 1931 by W.A. and Lillian Darter, who lived here until around 1946. W.A. Darter was a welder who opened his own welding and radiator shop around 1934. After the Darters moved out around 1946, the house became a rental property through the early 1950s; the tenants were Paul G. and Ebba Lundell; Paul G. Lundell was a house painter. Theresa Martinez, an attendant at Austin State Hospital, is listed as the owner of the house in the 1959 city directory. Around 1961, the house was purchased by Edward B. and Connie Rendon, who lived here for the rest of their lives. Edward Rendon was in construction, but more importantly, was a very important figure in the East Austin Latino community, working for recognition of the Latino contributions to Austin's community and culture. Edward Rendon Park at Festival Beach is named for him.

**Community Value:**

The house was the home of Edward and Connie Rendon from 1960 until their deaths in recent years. Edward Rendon was a prominent leader in the East Austin Latino community, and held many neighborhood and community meetings in this house. Family members relate that Carole Keeton McClellan, while mayor of Austin, met with Mr. Rendon and other members of the East Austin community in this house when planning Rendon Park at Festival Beach. Family members also relate other meetings at the house in furtherance of the rights of East Austin community.

**PARCEL NO.:** 0201060403

**LEGAL DESCRIPTION:** Lot 3, Outlot 59, Division O, V.E. Taylor First Subdivision

**ESTIMATED ANNUAL TAX ABATEMENT:** \$6,414 (owner-occupied); city portion: \$1,914.

**APPRAISED VALUE:** \$592,010

**PRESENT USE:** Vacant

**CONDITION:** Good

**PRESENT OWNERS:** Currently in the hands of a receiver appointed by the Travis County Probate Court to sell for distribution of proceeds to numerous heirs. The Travis Central Appraisal District lists Rose Rubio, one of the heirs, as the owner.

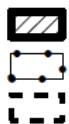
**DATE BUILT:** ca. 1931

**ALTERATIONS/ADDITIONS:** The house has been significantly modified, but the modifications were constructed by Edward Rendon, for whom this property is being considered as a commemoration. The original frame house was veneered in the current stone around 1971; the addition to the left side of the principal block appears to have been constructed at the same time. The house appears today as Edward Rendon and family knew it. Edward Rendon was a contractor, and the stone veneer on the house may reflect his workmanship.

**ORIGINAL OWNER(S):** William and Lillian Darter (ca. 1931)

**OTHER HISTORICAL DESIGNATIONS:** None.

## LOCATION MAP



SUBJECT TRACT  
PENDING CASE  
ZONING BOUNDARY

### NOTIFICATIONS

CASE#: HDP-2019-0401  
LOCATION: 1705 Haskell St.



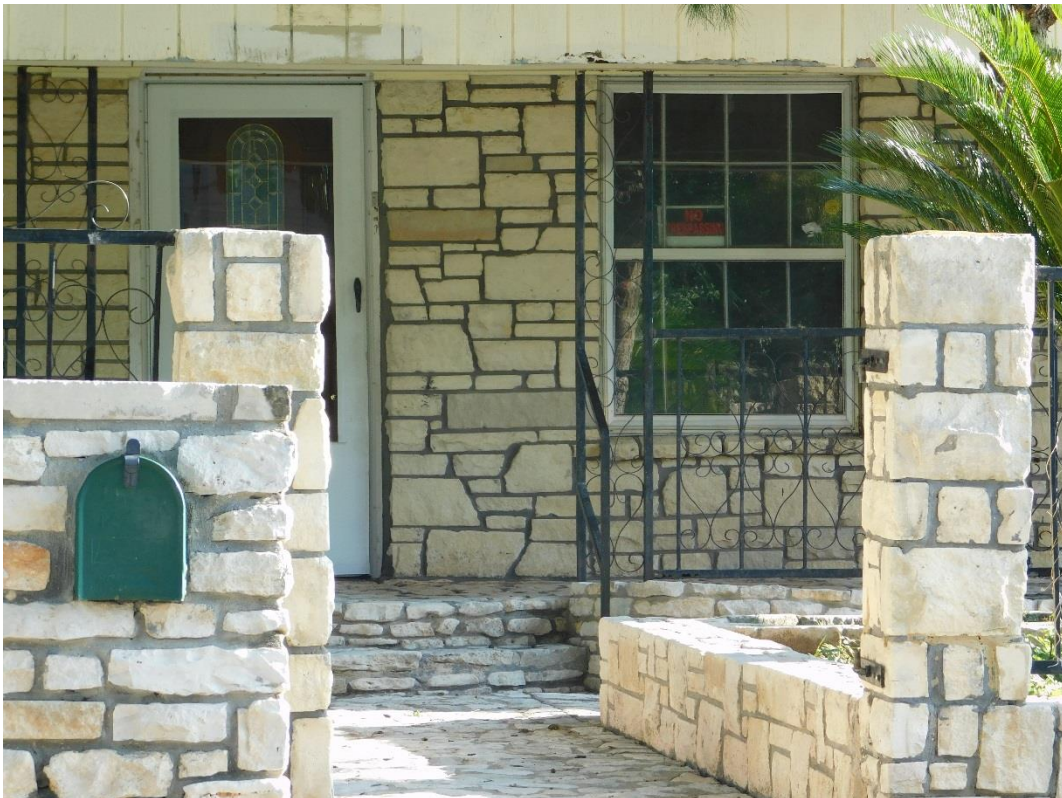
1" = 141'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



1705 Haskell Street  
ca. 1931





## OCCUPANCY HISTORY

### 1705 Haskell Street

City Directory Research, Austin History Center  
By City Historic Preservation Office  
July, 2019

- 1930-31      The address is not listed in the directory.  
City records indicate a water service permit for this address dating from 1931.  
NOTE: W.A. and Lillian Darter are not listed in the directory.
- 1932-33      W.A. and Lillian Darter, renters  
Welder, Austin Machine and Grinding Company, 219 E. 5<sup>th</sup> Street.
- 1935          W.A. and Lillian Darter, owners  
Proprietor, Darter Welding and Radiator Shop, 408 San Jacinto Street.
- 1937          Walter A. and Lillian Darter, owners  
Proprietor, Darter Welding and Radiator Shop, 408 San Jacinto Street.
- 1939          W.A. and Lillian Darter, owners  
Proprietor, Darter Welding and Radiator Shop, 218 E. 5<sup>th</sup> Street.
- 1941          W.A. and Lillian Darter, owners  
Proprietor, Darter Welding and Radiator Shop, 218 E. 5<sup>th</sup> Street.
- 1944-45      Walter A. and Lillian Darter, owners  
Salesman, Darter Welding Company, 213 E. 6<sup>th</sup> Street.  
NOTE: Paul G. and Ebba Lundell are not listed in the directory.
- 1947          Paul G. and Ebba Lundell, renters  
Painter  
NOTE: Walter A. and Lillian P. Darter are listed at 709 E. 47<sup>th</sup> Street; he was the proprietor of Slim Darter Welding and Radiator Shop, 213 E. 5<sup>th</sup> Street.
- 1949          Paul G. and Ebba Lundell, renters  
Painter
- 1952          Paul G. and Ebba Lundell, renters  
Painter
- 1955          No return  
NOTE: Paul G. and Ebba Lundell are not listed in the directory.  
NOTE: Theresa A. Martinez is not listed in the directory.
- 1959          Theresa A. Martinez, owner  
Attendant, Austin State Hospital  
NOTE: Edward and Connie Rendon are listed at 2003 Canterbury Street; neither had an occupation shown.
- 1962          Edward B. and Connie Rendon, renters

	Construction worker
1965	Edward B. and Connie M. Rendon, owners Construction worker
1968	Edward B. and Connie M. Rendon, owners Construction worker
1973	Edward B. and Connie M. Rendon, owners Construction worker
1977	Edward R. and Connie M. Rendon, owners Construction worker
1981	Edward R. and Connie M. Rendon, owners Construction worker
1985-86	Edward R. and Connie M. Rendon, owners Construction worker
1992	Edward and Connie Rendon, owners Retired

#### **BIOGRAPHICAL NOTES:**

##### **Walter A. and Lillian Darter (ca. 1931 – ca. 1946)**

Walter A. and Lillian Darter appear as the owners of this house in the 1940 U.S. Census. The house was worth \$1,500. Walter A. Darter was 32, had been born in Texas, and was the owner and operator of a garage. Lillian Darter was 31, had been born in Texas, and had no occupation listed. They had 2 children: Betty Jean, 9; and Eugene, 7.

The 1930 U.S. Census shows W.A. Darter as the 22-year old son of J.A. and O.B. Darter, who owned their home in Precinct 8 of Travis County. W.A. Darter is listed as a farm laborer. His wife, L.P. Darter, 21, had no occupation listed. W.A. Darter's father, J.A. Darter, 59, was a Texas-born farmer. His mother, O.B. Darter, 54, had no occupation listed. W.A. Darter had a younger sister, Julia, 14.

Walter Allen Darter died in Burnet County in 1985; Lillian P. Darter died in 1996.

##### **Edward and Connie Rendon (ca. 1960 – ca. 2018)**

This house was owned by Edward Rendon, Sr. from around 1960 until he passed away in 2018. Edward Rendon, Sr. was a community activist and the leader of the East Town Lake Citizens' Association. Edward Rendon, Sr. Park (colloquially known as Chicano Park) at Festival Beach is named for him. He was a beloved member of the community and a prominent Hispanic contractor in Austin.







RENDON Sr., Edward Our beloved Edward Rendon, Sr., age 91, resident of Austin, Texas, was called to our Heavenly Father on Sunday, February 4, 2018. He was preceded in death by his wife of 51 years, Concepcion Martinez Rendon. Visitation will held from 12:00-9:00 p.m., Friday, February 9, 2018 at Mission Funeral Home East Side, 1615 E. Cesar Chavez St., Austin, Texas. Recitation of Holy Rosary will begin at 8:00 p.m., Friday, February 9, 2018 at Cristo Rey Catholic Church, 2208 E. 2nd St. Austin, Texas (corner of Robert T. Martinez & 2nd St.). Mass of Christian Burial will begin at 10:00 a.m., Saturday, February 10, 2018 at Cristo Rey Catholic Church. Interment will follow at Assumption cemetery. Please visit [www.missionmemorials.com](http://www.missionmemorials.com) for an extended obituary, offer condolences and send flowers.

Obituary of Edward Rendon, Sr.  
Austin American-Statesman, February 8, 2018

City records indicate a water service permit dating from 1931; the permit is no longer extant.

OWNER Edward Rendon ADDRESS 1705 Haskell Street  
PLAT 16 LOT 3 BLK  
SUBDIVISION V. E. Taylor  
OCCUPANCY Porch  
BLD PERMIT # 123624 DATE 6-22-71 OWNERS ESTIMATE \$45,00  
CONTRACTOR owner NO. OF FIXTURES  
WATER TAP REC # Exist SEWER TAP REC # Exist  
Frm addn to residence 160 sq. ft.  
3-7-72-128073=frm addn to rear of residence 360 sq.ft.  
Permit #141464 -e/22/74= Frame acc. bldg. \$300.00 Est. cost.

Building permit to Edward Rendon to construct a frame addition (1971) and to construct a rear frame addition (1972)

An application for the demolition of all structures on this site was filed July 11, 2019.



BANGLE & POTTER  
— PLLC —

BRIAN C. POTTER  
[Brian@banglepotter.com](mailto:Brian@banglepotter.com)

August 14, 2019

**Via Email**

Austin Historic Landmark Commission  
c/o Steve Sadowsky, Historic Preservation Office

RE: 1705 Haskell Street, Austin, Texas 78702 (the "Property")

To the Austin Historic Landmark Commission:

My name is Brian Potter and I am the court-appointed receiver for the above-referenced property. I am submitting this correspondence for the record in anticipation of the public hearing on a demolition permit applicable to the Property, which is currently set for August 26, 2019.

On April 15, 2019, I was appointed as receiver for the Property by Judge Guy Herman of the Travis County Probate Court. A copy of the order appointing me receiver is attached hereto. While I am not a party to the litigation and do not represent any of the parties thereto, it is my understanding that my appointment was primarily a result of an inability of the potential heirs in the case to come to an agreement as to the disposition of the Property (it is my understanding that there are approximately 18 potential heirs). Based on the foregoing, the Court ruled that the Property is not susceptible to a fair and equitable partition, and that it should therefore be sold.

The Court therefore ordered me to sell the Property, and vested in me the exclusive right to retain a real estate agent, the exclusive right to sell the Property, and the power to sign all closing documents on behalf of all the potential heirs. Upon being sold, the funds are to be placed in the registry of the court, after which the Court will determine how they are to be disbursed amongst the heirs.

To that end and in furtherance of the Court's order, on or about June 6, 2019, I executed a contract for the sale of the Property, and an application for a demolition permit has since been submitted to the City by the anticipated purchaser. The reason for the demolition permit is that the house has little monetary value as a structure due to its condition. In fact, every offer I received for the purchase of the Property was in anticipation of being able to build a new structure on the lot.

In my opinion, were the Property to be designated as "historic," it would likely render it impossible for me to effectuate the court's order to sell the Property, which would in turn leave the Court with the decision of what to do with the Property. Such a designation would also likely

604 W. 13<sup>th</sup> Street | Austin, Texas 78701  
512.270.4844 (office) | 512.270.4845 (fax) | [www.banglepotter.com](http://www.banglepotter.com)



August 14, 2019

result in the Property simply sitting vacant for years to come and continuing to deteriorate, as there is no “owner” in the traditional sense. It would also have the result of rendering all the time and money spent by numerous heirs and their attorneys to get to this point meaningless, as well as the time spent by myself and the various parties that have been working on selling this Property.

In closing, know that I will be in attendance at the meeting scheduled on this matter and plan on making myself available for questions.

Sincerely,

Sincerely,

/s/ Brian C. Potter /s/

Brian C. Potter

8/22/2019

Dear Historical Landmark Commissioners,

My wife and I moved to the East Side in 2012, and were honored to have known the remarkable Eulalio Edward Rendon for the last six years of his life.

During that period, we spent many hours at his home at 1705 Haskell Street, either at meetings or family functions.

Our introduction to Welo's (as everyone called Edward Rendon), home was an interesting one-- the house façade, porch and walkways created by Edward Rendon's own hand labor, and remarkable masonry skills.

Never had we been in one place so teaming with advocates and activism. We later learned the house had been a hotbed of activism for more than 30 years!

- The Town Lake Boat Races were sent packing after community meetings at 1705 Haskell.
- The East Town Lake Citizen's Neighborhood Association, the first of its kind on the East Side, was founded at 1705 Haskell and continues on today.
- A Town Lake Park Master Plan predating the 2014 Master Plan by 30 years was first conceived at 1705 Haskell.
- The Holly Power Plant Decommissioning started here and ended in talks with the City leading to the dismantling and complete removal of the plant.
- The East Town Lake Citizens Park Planning Committee convened at 1705 Haskell to craft a community response to the Festival

Beach/Edward Rendon Park Master Plan that led to Council adoption of a compromise plan that let all sides of the debate win.

- Arte Texas launched at this location to begin restoration of local art murals.

Countless community-based events including charities, home repair and elder education programs and so many others were born or found expression in this home. Many more such events occurred before our arrival in the neighborhood. The house often teamed with prominent community organizers and advocates.

Most importantly, this home, though humble, a community found its voice and its strength. Community leaders emerged, now either respected or fondly remembered, from the front door of the home of Eulalio Rendon, and they helped Austin into a new era.

We hope that you will honor this wonderful center of caring, of community involvement, wealth of culture and now history, with historical designation. If any East Austin home deserves it, this one does.

Sincerely,

Phil Thomas & Carol Stall  
Holly Neighborhood



Dear Historical Landmark Commissioners & Steve,

08/25/2019

Hello my name is Elisa Rendon Montoya the youngest daughter of nine children of my parents Edward Rendon Sr. and Conception Martinez Rendon also Vice President of East Town Lake Citizens Neighborhood Association . I am writing you today to speak about the community value that my father has brought to our community in East Austin. My family migrated here in the 1920's, a historical moment in the 1930's when my grandfather Pablo Rendon shot and killed with his rifle a 180 pound panther. My grandfather stands next to former Mayor Tom Miller in front of our very own state capitol. We come from along line of victorious victories we are very proud of our last name Rendon. My father was instrumental on every level grassroot politics, community organizing, local business, and most of all he created a large family of six generations. I am a proud daughter that has followed my grandfather, my father's footsteps becoming a community leader and activist in my barrio. I have lived three blocks from my father since 1989, it is very hard to see my neighborhood change so quickly , I am one of the few that continue to preserve my barrio. I pass by my father and mothers' home every day its very emotional for me but I am grateful that our legacy of our home is still there today. I was beyond honored that my father selected his youngest daughter me as executor of his will and estate, I do support the Historical designation for my parents and my childhood home.

Thank you for your time, thank for working hard to preserving the historical history of Austin.

Sincerely,

Elisa Rendon Montoya

2008 Haskell St.

Austin, TX 78702

Dear Historic commission board:

As a resident of East Austin and neighbor of the property 1705 Haskell St, I am writing to ask that you help to preserve this property in the East Austin community, by supporting the proposal of making the home historic. Edward Rendon Sr. was a great leader in the East Austin community that helped preserve and beautifying many areas in East Austin while raising his family of 8 in East Austin, Edward Rendon Sr. saw a need in his community and begin to work diligently with different community members in the area to make that change a reality. He was not given money nor asked for money to make that change come about, his reward was seeing his community become the beautiful landmark it is today, and that is why Chicano park which was named by residents that grew up knowing has changed to Edward Rendon Sr. Park in 2007. He believed that his children, grandchildren and his neighbor's and their children deserved a place where families could go and enjoy themselves at their community park. He helped preserve Town lake which is now Lady Bird lake from the boat races in 1978, he locked arms with many others to help shut down the power plant, he helped house many families at Martin Middle school in 1966 when Cesar Chavez marched through Austin, so much more Mr. Edward Rendon did for his community but none of this would have been done without planning, meeting, outreach and organizing, these 4 things that I mentioned were all done in the 1705 Haskell st home. At the age of 90 years Mr. Edward Rendon was still present at city council for public hearings, regarding his neighborhood. He was a believer in using your voice and standing up for what's right. Not only as a neighbor but also as his granddaughter, I ask that you honor my late grandfather by preserving the 1705 property in honor of his hard work and dedication in making the neighborhood a safe and beautiful place it is today.

Thank you,

Caroline Escobar

Dear Members of the Historic Landmark Commission:

We support the designation of the family home of Mr. Eduardo Rendon, located at 1705 Haskell Street in East Austin, as a historic landmark. Mr. Rendon built the house at that address and raised his family in this home. Mr. Rendon was a hero to his family, his neighborhood, and the Mexican American community in general. Mr. Rendon was a leader in:

- The struggle to preserve Austin's Mexican American neighborhoods,
- Protecting local parks (for which Edward Rendon Park at Festival Beach was named),
- Mentoring several generations of youth living in ethnically segregated communities, and
- Providing stability and wisdom to others in these communities.

Due to Mr. Rendon's importance to East Austin as a whole, we strongly support designation of his home as a historic landmark. Thank you for your consideration of this matter.

Sincerely,

Gilberto C. and Dr. Jane H. Rivera

East Austin Resident



July 22<sup>nd</sup>, 2019

City of Austin Historic Landmark Commission  
Austin City Hall  
301 W. 2nd Street  
Austin, Texas 78701

Dear Commissioners:

As a native Austinite, I write to express my strong support to declare the former home and property of the late Mr. Edward Rendon, located at 1705 Haskell St. Austin TX 78702, as a historical site in the city of Austin.

Mr. Rendon played an important part in the history of Austin. He was one of the leaders who fought for civil rights, equality, and property rights in east Austin. Mr. Rendon held many meetings with local neighborhood leaders and Austin politicians at his home which dealt with the civil rights movement in the 1960s, the Austin boat races in the 70s, the Holly Power Plant, and other issues that affected the east Austin area. Indeed, Mr. Rendon was honored by the city of Austin when it named the Town Lake park area near his home as "Edward Rendon Park."

During the past dozen years, I had the pleasure of meeting Mr. Rendon and attending meetings at his home which dealt with issues affecting the east Austin area. Mr. Rendon was a role model for his family, and his children and grandchildren are carrying on the tradition of community workers. Mr. Rendon welcomed friends of the family such as myself to his home and he beamed with pride as he watched his children and grandchildren carry on the work that he started in the community.

I hope that the City of Austin Historical Landmark Commission approves of the designation of the Edward Rendon home as a historical site. It deserves to be remembered and recognized as the home of one of Austin's historical leaders and as a historical meeting site for community leaders who worked to correct injustices in Austin.

Sincerely,

Larry Amaro, MSW (Ret.)  
512-658-2962

July 22,2019

To: City of Austin Historic Landmark Commission

From: Daniel Llanes, member \_ PODER, Raza RoundTable,  
ANC Exec. Committee

Dear Commissioners,

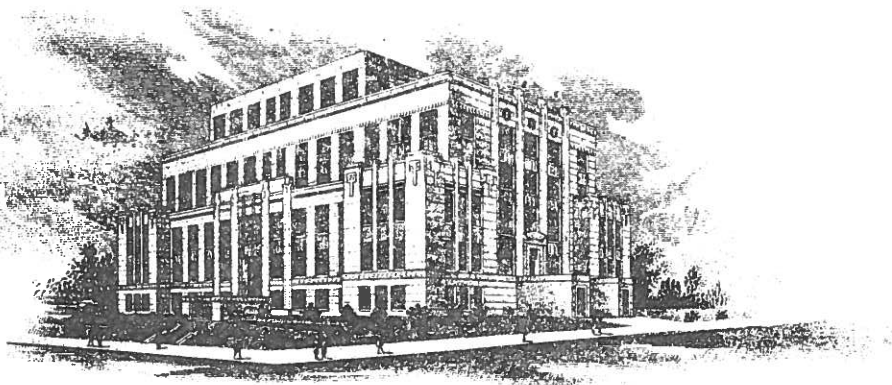
Please accept this letter of support for agenda item # 1705 Haskell St., Rendon House.

The Rendon family and the Rendon House at 1705 Haskell are deserving of historic recognition.

I encourage you grant the Rendon Family and their Partiack's house with a historic designation.

Thank you,

Daniel Llanes  
512-431-9665



MARGARET J. GÓMEZ  
COMMISSIONER, PRECINCT 4

700 LAVACA, SUITE 1510  
AUSTIN, TEXAS 78767  
P.O. Box 1748  
854-9444

Ms. Bertha Rendon Delgado

Dear Ms. Delgado:

It is my honor to write about your grandfather, Mr. Edward Rendon, Sr., a lifelong resident of East Austin, Texas. He lived proudly in East Austin, raised his family and taught his children and grandchildren to become involved in the community for their rights and the rights of others.

Mr. Rendon participated in the community for the rights of our gente by joining Paul Hernandez, Gavino Fernandez, and others, to keep the community and its assets together for future generations. Bertha, you are carrying out your grandfather's legacy of speaking out in the community to defend others while at the same time keeping his legacy of involvement going forward to influence others. Mr. Rendon was always present when the barrio needed his support. He marched, he encouraged other people, and he showed them how to overcome fear of being criticized. I see you doing the same thing. Mr. Rendon's involvement and commitment to human rights earned him a great reputation and a park in the barrio to be named for him.

This park helps to keep the memory of Mr. Rendon alive each day for those of us who knew him as well as those who want to hear and stand up like he did.

You must be very proud of being a Rendon as is your mother and family. Felicito a la familia Rendon for el gran regalo de el Senor Edward Rendon, Sr.

Sincerely,

Margaret J. Gomez  
County Commissioner,  
Precinct 4



## People Organized in Defense of Earth and her Resources

To: Historic Landmark Commissioners: Sarah Valenzuela, Alexander Papisiliou, Terri Myers, Emily Hibbs, Mathew Jacob, Kelly Little, Blake Tollett, Emily Reed, Emily Hibbs, Ben Heimsath, Kevin Koch, Witt Featherston

From: Susana Almanza, PODER

Date: August 26<sup>th</sup>, 2019

Subject: Support Historic Designation for 1705 Haskell Street – Edward Rendon Sr. house

PODER is requesting that the Edward Rendon Sr. home located at 1705 Haskell Street be given the designation of Historic.

Mr. Edward Rendon Sr. is recognized as an elder and leader of the Mexican American community of East Austin. His involvement in improving the East Austin community is recognized by so many. His home is recognized as the place where Mr. Rendon Sr and his family members participated and hosted numerous community events. From neighborhood parties to hosting political candidates.

Mr. Edward Rendon Sr. was a former president of the East Townlake Citizens Neighborhood Association. With his leadership, the community worked to establish the present Holly Shores Master Plan. Mr. Rendon Sr. also worked to close the toxic Holly Power Plant. His dedication to the community will forever be honored.

Again, we ask for Historic designation for Mr. Edward Rendon Sr.'s home, located at 1705 Haskell Street.

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Dear Historical Landmark Commissioners and City Staff,

There is so little being saved and so much being lost of the Historic Eastside Barrio. I am sorry not to be able to attend your Meeting Monday night, so please accept this email as my citizen testimony in favor of historical preservation of the home.

Senor Rendon was key leader of the old community who should not be forgotten. The architecture of his home is an authentic testament of our humble community, as deserving of respect as the palatial homes that are routinely designated as landmarks. The Rendon House is a humble O'Henry House or "log cabin" sort of landmark, that requires your compassionate protection to survive.

Thank You for your Service to All of our Historical Heritage.

Sincerely,

Dave Santos  
Eastside Heritage Activist

Good Morning,

I am writing to ask you to historically landmark the Edward Rendon, Sr. house on 1705 Haskell Street. Any future changes at this property should be conducted within a context of historic preservation. Your responsibility here is clear.

As is so often the case, this is not just an empirical question of establishing whether the property, which sits inside a cultural landscape, meets the necessary criteria, although it clearly does. It is also a question of equity. Mr. Rendon was a noteworthy member of his community--our community--and his legacy is deep. Yet why is the staff recommendation to initiate historic zoning contaminated by a poison pill to focus "particularly on the criterion for architecture?" Including such a stipulation in a professional recommendation of this type reveals most interesting prejudices and inequities that have characterized our profession from the beginning and continue to bedevil it still. If it still isn't clear to the staff, it should be clear to you that true historic preservation is about more than architecture.

I urge you to see through the smoke and to do the right thing.

If you have any questions, please do not hesitate to get in touch at this email address or at (512) 275-6027.

Regards,

flm



MONTOPOLIS  
COMMUNITY DEVELOPMENT CORPORATION

Fred L. McGhee, Ph.D.  
President, Montopolis CDC  
[fmcghee@montopolis.org](mailto:fmcghee@montopolis.org)  
[www.montopolis.org](http://www.montopolis.org)

Dear Historic Landmark Commissioners:

I am writing in support of Historic Preservation Office staff's recommendation for historic zoning of the late Mr. Edward Rendon's former home, located at 1705 Haskell St.

Mr. Rendon was a venerated neighborhood leader and activist in the East Town Lake community from the 1970s up until his death in 2018. His numerous contributions and accomplishments are highly significant in the context of the neighborhood's history as a former working class Mexican American enclave. To wit, in 2007, the City of Austin officially designated a portion of Holly Shores (at Festival Beach) as Edward Rendon, Sr. Park in recognition of his extraordinary service to the community. Below I list some of Mr. Rendon's most notable achievements:

- Served as President of the East Town Lake Citizen Neighborhood Association (1975-1999)
- Led the movement to close the nearby Holly Power Plant (1990-2007)
- Co-organized the movement to stop the Town Lake boat races on Holly Shores alongside Austin's storied Brown Berets (1978)
- Served as a founding member of Austin's Hispanic Chamber of Commerce
- Respected as an East Austin business owner known professionally for his talents as an expert stonemason. His company, Edward Rendon Masonry, completed stone masonry projects locally and beyond on neighborhood homes (including his own), at Cristo Rey church, and at Tom Miller's home

Mr. Rendon's former home at 1705 Haskell St. thus appears to meet the requirements for landmark designation based on his significance as a prominent Mexican American community leader and businessman in the East Town Lake district, and per the following eligibility criteria:

1. **Architecture:** the house retains architectural integrity; the stone façade exterior, which can be seen in photos taken in the early 1930s and which remains today, lends a distinctive vernacular quality.
2. **Historical association:** the house has a history dating back to the early 1930s in what was long a working-class neighborhood.
3. **Community Value:** Mr. Rendon moved into the house in 1962, and lived there for almost 60 years. During that time, Mr. Rendon hosted many important community-based events and initiatives in his home, including:
  - a. Weddings for several of the Honorable Judge Perkins' family members

- b. Planning meetings for Edward Rendon Sr. Holly Shores Master Plan stakeholders, including dignitaries Lady Bird Johnston, Mayor Carol Strayhorn, and community members Marcos DeLeon, Hortencia Palamores, and Paul Hernandez (1979)
- c. Primary staging site for free Haskell St. Halloween Block Party community events.

Mr. Rendon's former home at 1705 Haskell St. contributes to the historic character of the East Town Lake district. Considering its distinctive vernacular aesthetic in the context of Mr. Rendon's importance to Austin's Mexican American community, the house represents an architectural, cultural, and historical anchor for many long-term residents. Were Mr. Rendon's former home demolished, the community would surely lose an important asset that embodies aspects of both its tangible and intangible heritage. A vote in favor of historic zoning is a vote to protect it.

Sincerely,

Kristen Hotopp

East César Chavez resident

Sector 7 Representative, East César Chavez Contact Team



Dear Steve and Historical Commission,

There have been so many homes torn down in our community that have value, not just to the community, but also to Austin. I count 11 within 500 feet of my block. If this continues there will be nothing left for future generations to see actual contributions made by their ancestors

Mr. Rendon was an important and vital part of East Austin. A park on Lady Bird Lake being named after him should be proof of his importance. Don't let the legacy of your tenure and this commission be like the 1928 laws that kept people of color east of East Blvd (now I35). Let it be that you made sure the contributions made by leaders like Mr Rendon were memorialized for future generations.

Gwen O'Barr  
1604 Canterbury Street

August 21, 2019

*Via Email: [andrew.rice@austintexas.gov](mailto:andrew.rice@austintexas.gov)*

Commission Members  
c/o Andrew Rice  
Historic Landmark Commission  
One Texas Center, 505 Barton Springs Rd.  
Austin, Texas 78704

*Via Email: [steve.sadowsky@austintexas.gov](mailto:steve.sadowsky@austintexas.gov)*

Steve Sadowsky  
Historic Preservation Officer  
One Texas Center, 505 Barton Springs Rd.  
Austin, Texas 78704

Re: 1705 Haskell Street – Rendon House

Dear Commissioners and Mr. Sadowsky:

I represent Rose Rubio with respect to her ownership interest in the property located at 1705 Haskell Street, Austin, Texas 78702 (the “Property”). Mrs. Rubio’s parents were Edward (also known as Eulalio) and Concepcion Rendon, and she is an owner of the Property and heir of their estates. On or about July 11, 2019, Gravity 14 Enterprise (“Gravity”) filed a Demolition Permit Application (“Demolition Application”) for the Property. The Property is currently under contract to be sold, and Gravity filed its Demolition Application as part of the sale. I understand that Gravity’s Demolition Application will be considered by the Commission at its meeting on August 26, 2019. As an owner of the Property, Mrs. Rubio supports Gravity’s Demolition Application and requests that the Historic Landmark Commission approve Gravity’s Demolition Application. Mrs. Rubio is opposed to any effort to initiate a historic zoning case related to the Property.

**I. BACKGROUND INFORMATION:**

During the Commission’s meeting on July 22, 2019, Bertha Delgado and Elisa Montoya spoke in opposition of Gravity’s Demolition Application, and the Commission placed the Property on its August Agenda so that a public hearing could be held. The following is intended to provide the Commission and Mr. Sadowsky with insight into Ms. Delgado’s and Ms. Montoya’s motivation in opposing Gravity’s Demolition Application.

Mrs. Rubio owns the majority interest in the Property, and the heirs of Edward and Concepcion Rendon own small fractional interests in the Property. All of Edward and Concepcion Rendon heirs, except Ms. Montoya, support Gravity’s Demolition Application because they want the current sale of the Property to proceed and close. Although Ms. Montoya and her daughter, Ms. Delgado, would lead the Commission to believe that their opposition to Gravity’s Demolition Application is based on their desire to preserve the Property and Mr. Rendon’s legacy, that is simply false. Ms. Montoya’s sole motivation is to delay and/or attempt to stop the sale of the Property because she has been entirely unsuccessful in obtaining a larger ownership interest in the Property through the litigation that she filed against Mrs. Rubio in the Travis County Probate Court.

Since 2018, Mrs. Rubio has been involved in litigation with Ms. Montoya over the Property in Cause No. C-1-PB-18-001609; *Elisa R. Montoya, Individually and as Independent Executor of the Estate of Eulalio Eduardo Rendon*, in the Probate Court No. 1 of Travis County, Texas. Ms. Montoya refuses to accept the fact that Mrs. Rubio agreed to purchase their father's interest in the Property so that he could remain living in the home throughout his life. Ms. Montoya alleged a variety of frivolous and baseless claims against Mrs. Rubio, but the Travis County Probate Court has dismissed all of Ms. Montoya's claims against Mrs. Rubio. In fact, the Travis County Probate Court determined that Ms. Montoya is required to pay a portion of Ms. Rubio's attorneys' fees because Ms. Montoya's claims had no merit. A copy of the Court's Order dismissing Ms. Montoya's claims is enclosed herein for your review. Therefore, the only remaining issue in the litigation is the sale of the Property.

On April 15, 2019, the Travis County Probate Court ordered that the Property should be sold and appointed Brian Potter to serve as Receiver to take immediate action to sell the Property. Mr. Potter entered an agreement with Rehabbing Austin, LLC to sell the Property. Once the Property is sold the Court will determine what funds each of the eighteen (18) heirs of Eulalio and Concepcion Rendon are entitled to receive. However, Ms. Montoya is advocating against Gravity's Demolition Application because she is simply trying once again to delay and/or prevent the sale of the Property.

## **II. THE PROPERTY DOES NOT MEET THE CRITERIA FOR HISTORIC LANDMARK ZONING:**

Section 25-2-352 of the Land Development Code provides that the "counsel may designate a structure or site as a historic landmark (H) combining district if it meets the criteria in Section 25-2-352 (a)(1)-(3). In this case, the Property fails to meet the criteria set out in (a)(1) and (a)(2). Therefore, the Property does not qualify for such a designation.

As referenced in Commissioner Koch's email to Mr. Sadowsky from July 1, 2019, the Property has undergone "extensive alterations" over the years. A copy of Commissioner Koch's email is attached hereto for your review. That opinion was also shared by the consultants retained by the City of Austin in 2016 to evaluate the Property, along with many others located in the same neighborhood, to determine the eligibility for historic designation. Specifically, Hardy Heck Moore, Inc. ("HHM") made the following findings in its Final Report to the City dated October 24, 2016:

- a. The Property had no stylistic influences;
- b. The alterations to the Property included replacement of exterior wall materials, windows were replaced and the door was replaced;
- c. HHM recommended that the Property was not eligible for a local designation; and
- d. HHM recommended that the Property was not eligible for NRHP designation.

A copy of the relevant portions of HHM's Final Report is also enclosed herein for your review.

Additionally, the following photographs demonstrate the extent of the alterations and changes made to the Property since Mr. and Mrs. Rendon purchased it. The Property did not retain a high degree of integrity and the additions/alterations significantly compromised its integrity. Therefore, it does not comply with the requirements under Section 25-2-352(a)(2). Moreover, the additions/alterations are less than fifty (50) years old so they do not comply with the requirements of Section 25-2-352(a)(1).



Below is a photograph of the Property when Mr. and Mrs. Rendon purchased it in the 1960s.



The next photograph is a photograph of the Property in 1973 after Mr. Rendon removed the small roof structure on the front of the house, the small porch, and created a porch that extended across the front of the home. Additionally, the photograph shows the stone that Mr. Rendon put on the exterior of the house.



The next photograph is a picture of the Property in the 1980s when Mr. Rendon built a stone/iron wall around the front yard of the house.





The final photograph shows the current state of the house. It also reflects the large addition to the left side of house that was done in 1989, which included closing in one window on the front porch, removing and replacing the front door, adding another window, creating an additional bedroom on the left side of the house, and changing the slope of the front roof structure over the porch. Additionally, the photograph reflects the carport on the right side of the house.



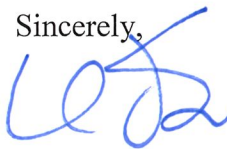
### III. CONCLUSION

The Property has been the central issue in the litigation between the parties for almost two (2) years and it needs to be sold immediately. Given the number of heirs and the conflict among the heirs, it is impossible to come to any agreement to maintain the Property or keep it from sitting vacant and deteriorating further. That is one of the many reasons the Travis County Probate Court recognized there was an immediate need to sell the home and that is why Mr. Potter was appointed to act as Receiver. Ms. Montoya's latest attempts to use this Commission to delay and/or prevent the sale should not be permitted. Rather, Mrs. Rubio and the other sixteen (16) heirs should be allowed to sell the Property and obtain closure.

Additionally, the Property does not meet the Historic Designation Criteria in Section 25-2-352 of the Land Development Code. That issue was alluded to by Commissioner Koch in his email of July 1, 2019, and it was acknowledged by Hardy Heck Moore, Inc. in its Final Report on October 24, 2016. Therefore, Ms. Rubio would respectfully request that the Commission grant Gravity's Demolition Application and deny any request to initiate a historic zoning case related to the Property.

I will be present at the meeting on August 26, 2019 and be available to answer any questions the Commission may have regarding this matter. If you have any questions or need any additional information before the meeting, please do not hesitate to contact me.

Sincerely,



Noel L. Stout

NLS:xob

*Enclosures (as stated)*

Cause No. C-1-PB-18-001609

ELISA R. MONTOYA, AS INDEPENDENT	§	IN THE PROBATE COURT
EXECUTOR OF THE ESTATE OF	§	
EULALIO EDUARDO RENDON	§	
Plaintiff	§	
v.	§	NO. ONE
ROSE RUBIO	§	
Defendant	§	TRAVIS COUNTY, TEXAS

**ORDER GRANTING ROSE RUBIO'S TRADITIONAL  
MOTION FOR PARTIAL SUMMARY JUDGMENT**

On November 19, 2018, the Court considered Rose Rubio's Traditional Motion for Partial Summary Judgment (the "Motion"), Elisa R. Montoya's response, which was filed pro se despite her obligation to be represented by an attorney due to her being an Independent Executor, and the arguments of counsel. The Court finds that Elisa R. Montoya's response should be stricken for failure to have an attorney. Notwithstanding, the Court, even in considering her response, is of the opinion that the Motion should be granted in its entirety.

It is THEREFORE ORDERED, ADJUDGED AND DECREED that Rose Rubio's Traditional Motion for Partial Summary Judgment is GRANTED in its entirety.

It is THEREFORE, ORDERED, ADJUDGED AND DECREED that Elisa R. Montoya, Independent Executor of the Estate of Eulalio Eduardo Rendon, breached the settlement agreement that Eulalio Eduardo Rendon ("Decedent") entered with Rose Rubio prior to his death by failing to enter the formal settlement agreement and by refusing to dismiss the lawsuit against Rose Rubio. Therefore, the Court finds that all claims or causes of action asserts by either Decedent or Elisa R. Montoya, Independent Executor of Decedent's Estate, against Rose Rubio in the above-referenced cause are dismissed with prejudice, including the declaratory judgment action and trespass to try title action asserted by Elisa R. Montoya, Independent Executor of Decedent's Estate.



The Court further finds that Decedent and Rose Rubio settled and mutually released each other from any and all claims, both known and unknown, between them related to the property 1705 Haskell Street, Austin, Texas 78702 (the "Property").

It is FURTHER, ORDERED, ADJUDGED AND DECREED each cause of action, including the declaratory judgment action and trespass to try title action, asserted by Elisa R. Montoya against Rose Rubio is barred by the statute of limitations.

It is FURTHER, ORDERED, ADJUDGED AND DECREED that Rose Rubio purchased Decedent's one-half community property interest in the Property based on the purchase contract that Rose Rubio entered with Decedent on or about November 1, 2004 and that Rose Rubio acquired Decedent's one-half community property interest in the Property based on the Special Warranty Deed (Document Number 2013180460) executed by Decedent and filed in the Travis County Real Property Records on or about October 1, 2013.

It is FURTHER, ORDERED, ADJUDGED AND DECREED that judgment is awarded in favor of Rose Rubio against Elisa R. Montoya and Edward Rendon, Jr. for Rose Rubio's reasonable and necessary attorneys' fees pursuant to §37.009 of the Texas Civil Practice and Remedies Code, which were incurred to obtain: (a) a judicial determination of Rose Rubio's rights under the contract that she entered with Decedent to purchase the Property; and (b) a judicial determination that Rose Rubio acquired Decedent's one-half interest in the Property as a result of the contract that she entered with Decedent and the Special Warranty Deed (Document Number 2013180460) executed by Decedent and filed in the Travis County Real Property Records on or about October 1, 2013. Such attorneys' fees will be determined by this Court at a later time.

  
Judge Presiding

11/20/2018

HONORABLE PROBATE JUDGE  
TRAVIS COUNTY PROBATE COURT

UNOFFICIAL

Yes, I agree with Commissioner Koch and would like to request this item be placed on our agenda for discussion.

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-----Original Message-----

From: Koch, Kevin - BC

Sent: Monday, July 01, 2019 5:36 PM

To: Sadowsky, Steve <[Steve.Sadowsky@austintexas.gov](mailto:Steve.Sadowsky@austintexas.gov)>

Cc: Koch, Kevin - BC <[BC-Kevin.Koch@austintexas.gov](mailto:BC-Kevin.Koch@austintexas.gov)>

Subject: 1705 Haskell

Hi Steve, I understand 1705 Haskell is being marketed as a tear-down, and while the historic resources survey notes the extensive alterations that seems to justify its not being listed as a potential landmark, there are historical associations to consider.

Given the publicized assertion of the tear-down status of this historic age structure—which would be due a hearing upon an application for demolition—I would like to see this placed on next month's agenda so we can discuss the merits of the case and provide some clarity for both the seller and owner.

Kevin Koch

Boards and Commissions




# City of Austin Historic Resources Survey

Contract No. MA 6800 NA160000013

## Final Report Volume III

October 24, 2016

Prepared for the City of Austin  
Prepared by Hardy·Heck·Moore, Inc.  
Austin, Texas

	1701 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences Minimal Traditional	Year built 1947	History notes None	Alterations None visible	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a NRHP designation	HHMID 0475 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1702 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences Mission Revival	Year built 1935	History notes None	Alterations Windows replaced	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0476 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1703 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences Craftsman	Year built 1928	History notes None	Alterations Porch enclosed, Windows replaced	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0481 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1704 HASKELL ST Type Residential - Single-Family House	Stylistic influences Contemporary	Year built 2006	History notes None	Alterations None visible	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0482 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1705 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences No style	Year built 1928	History notes None	Alterations Exterior-wall materials replaced, Windows replaced, Doors replaced	Additions Side additions	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0483 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1706 HASKELL ST Type Residential - Outbuilding - Back House	Stylistic influences No style	Year built 1978	History notes None	Alterations None visible	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0679 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1706 HASKELL ST Type Residential - Duplex House	Stylistic influences No style	Year built 1978	History notes None	Alterations None visible	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0489 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1707 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences No style	Year built ca. 1990	History notes None	Alterations Windows replaced, Doors replaced	Additions Side addition	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0493 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1708 HASKELL ST Type Residential - Single-Family House - Modified Hipped-Roof Square-Plan	Stylistic influences Craftsman	Year built 1925	History notes None	Alterations Windows replaced, Porch post material replaced	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0498 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation
	1709 HASKELL ST Type Residential - Single-Family House - Bungalow	Stylistic influences Craftsman	Year built 1928	History notes None	Alterations Windows replaced, Doors replaced	Additions None visible	Integrity notes None	Previous and recommended local designations No previous NRHP designations; Recommended not eligible for a local designation	HHMID 0499 Previous and recommended NRHP designations No previous NRHP designations; Recommended not eligible for a NRHP designation



Greetings

Commissioners,

My name is Roberto Rubio Jr ,I am a grandson of Mr. Edward Rendon Sr..... My parents are the owners of the property at 1705 Haskel St. that is currently on your list for designation. I have written this letter to this board on behalf of my immediate family, for a number of reasons today....The most important of these being, to clarify and explain some of the stories that you may have heard up until this point, through letters, emails, and the hearings being held on this issue. After careful consideration and thought ....we decided along With our parents and uncle, who is my moms brother and who, as my mother, was raised in this house. To bring forward and show to the Historical Commissioners that so many of the stories and events that have been brought forward,In an attempt to prove the historical significance of this house, are not just harmless white lies or embellishments of the truth, but honestly, flat out completely false..literally made up events that we know never took place or were made to be something they are not.... So that being said , before I get into the specifics of the historic events that have been brought forward by so many people who are in opposition of the demolition of this property... they not only have continued to make false claims against my grandfather, but have also done so on numerous occasions, to my parents.... but because they do not pertain to the subject matter at hand, ie...the property and house ... I will not go to in depth on how this debacle has brought us here in front of your board...but if i do not at least give you some information off subject about the personal trials and tribulations, then i will be wasting my time with the other topics..... So please if i may, i will first give you a brief history of how we have ended up here in front of this historical committee.

Close to 20 years ago my Grandpa Edward Rendon was living his life like he wanted , he Fished when he felt like it, he traveled to visit family in the Rio Grande Valley and stayed for sometimes months at a time....visiting Mexico , amongst other things...he was happy in all aspects of his life for the most part , happy, except for one thing ...money ...the 1000 dollars he was getting through his SS was not cutting it....So he decided that he wanted to sell his home....his only stipulation to the would be buyer was that he live out his remaining years and eventually come to pass in his home..so the only way this could happen is if his children bought it ...Long story short he called a meeting between all 9 of his Sons and daughters and explained what he wanted and asked if they would all be willing to each put up 100 dollars a month to buy the house from him and then after he was gone they could split it evenly amongst each other....Well they went around and 1 by 1 they all said No....for personal reasons or whatever reasons the answer from each of them was NO.....so my parents talked amongst each other and decided they would do this for my grandpa so that his last remaining years here were happy ones for him ...keep in mind this was a very long time before the market in this area was rising as it has continued to do so now...this had nothing to do with flipping and investing or any type of financial gain...last time i checked my parents had no physic abilities, so there intention was and always had been, to eventually get the money back to them they had put into it during the purchase, or fix it and live in it ....and most important for my mother to see that her dad was happy in the latter years of his life.....so there it went my parents struggling to make ends meet to pay 2 mortgages and taxes on 2 properties for 15 plus years BY themselves....not once did anyone offer to help...not once did anyone offer any assistance in this transaction...My dad who was in his early 50's was working 65-70 hours a week as a truck driver in construction all the while barely making ends meet.... I don't tell you this for sympathy or compassion ...I am telling you this because its the truth....Not once did anyone offer my parents any help doing this.... so after this is said and done ...house was paid off in full, many years went by and out of nowhere comes this vendetta against my mother to take away what they had so tirelessly worked hard for!!! the market started slowly making a jump in east austin and all of a sudden her sister Elisa and younger Brother Edward decided they were gonna go against my parents and try to take their house away.. this

is when all this legal stuff started that has now lead us here in front of this committee... My mother had plans on renovating this home and retiring there before all this....those where my mothers dreams and wishes after my grandpa was laid to rest...that would never come to be because of this matter that her two younger siblings created.... how obvious is the fact that 2 out of 8 (one passed away before) siblings are against my mother n father....only 2 out of the 8 brothers and sisters have gone against my mom for whatever reason they claim....the other 6 all agreed in the court of law that my mother was the owner of this house and that they are were all given the opportunity to have a percentage at one time but they had all refused for their own personal reasons.....only 2 who now claim that meeting never took place and that somehow my mother conned her own Father...who she loved Dearly...out of his house.. that alone should prove that their motives go beyond the historic designation or even the ownership now.... which is another thing....this matter has gone to court and the judge presiding ruled in favor of my parents and ordered that this property be sold and the opposing parties be given the small percentage for which by law is owed through my grandmothers side who left no will.....so thats what was gonna happen...this house that my parents struggled to pay for was no longer theirs to do with what they planned.....it was now ordered to be sold and this matter laid to rest....so we thought....Elisa and her daughter apparently were given advice on this avenue and they decided to go ahead and give it a shot.....and here we are.....that is a short rundown of what has happened up until now in a nut shell.... i will spare u the horrible details and malicious acts against my mother in particular.... trying to destroy the relationship between her and her loving father.....You see we are not here to debate on wether or not my grandfather was or was not a great man and prominent figure in his neighborhood....We know he was ....we lived the same life they claim that they have lived with him...we were there during these times they claim these events took place....they seem to forget that part....we spent our entire summers there and every holiday and birthdays and morning coffee ....we actually existed during these times ....and this is why i am going to close this letter with all the embellished stories and flat out lies that have been given to you guys in effort to win this designation and more importantly the vendetta that they have against my mother....All we ask is that either you do your own investigation or you ask the parties who claim these events took place , to show physical proof proving these statements are 100% facts..again we are in no way trying to discredit our beloved grandfather...he made his mark on this city and his community through his hard work and dedication for his Family.. and in our eyes, the false statements all these people have made... claiming my grandfather was something that he wasn't have done a great injustice to our Abuelo, his name and the legacy he truly left behind and even worst than that ,this has not allowed him to Rest in Paradise as he so much deserves!!!!.Thank you for your time and hope you have a clearer understanding of what is really occurring with this issue and just a small insight of the motive behind this application for historic designation....

This is a list of the False/embellished statements made to the commission as seen and explained by the other Rendon siblings, all who are older and were also involved in my grandparents life on an everyday basis. The only thing we ask is that there is evidence proving that these events did indeed take place as claimed.

1) In a letter written by Kristen Hotopp states that "Many of Judge Bob Perkins family members were married at this house"....

This statement is absolutely 100% false, for one our grandfathers house was not a venue that u could rent for cash and do as you pleased. There were never any neighborhood meetings held there or political rallies as they claim... And for 2 there were only 2 couples married in this house and both were children of Edward Rendon SR. we ask they Please show provide evidence that these weddings from the Perkins family that took place as



stated. And also proof of the political "rallies" that were supposedly held there....Again they fail to realize and admit that we were alive and well during these times they claim all these things happen....we were apart of that home just as much as they were....

2) The blueprints and design to what is now Edward Rendon Park were laid out on our grandfathers Kitchen table with Mayor Carol Keeton Strayhorn  
.....

This statement is False as well....the True story is that the park was designed in 1960 by Williams C. Holmans .... and my grandfather had no hand in the creation or design of the actual park and it definitely didn't take place in his kitchen.....He did however sit down with Mr. Holmans and decide where to place the concrete pads that would be used to place BBQ pits throughout the park that were not initially part of the original design of the park....the reason my Grandfather was involved in this discussion was because he won the Bid/contract from the city to do the cement foundations for the bbq pits....and the designer wanted to make sure they were on the same page to where exactly these cement pads would be placed....Now after the 2 of them finalized the plans for these pads...the mayor did in fact visit our grandfathers house to view those plans and give her approval as well. That is the true story behind that statement! We ask that proof is shown that shows their statements on this event is provided in some form or fashion proving otherwise.

3) It has been stated by numerous people that Cesar Chavez not only visited my Grandparents home but that my Grandfather worked side by side with him during his visit to Austin and the State Capitol Building.

We know this is not true because honestly if Mr. Chavez had indeed visited our Grandparents home why have we never been made aware of this before....where are the pictures and newspaper clippings showing proof that this so called historical event took place? We really would love to see those...and honestly would be happy if we were proven wrong on this....it would be an amazing thing to say that the great Cesar Chavez stood in that house with our grandfather. Please we ask that some sort of hard proof is brought forth that proves this event took place as stated.

4) Our Grandfather was a founding member of the Austin Hispanic Chamber of Commerce.

Through extensive research and conversations with members of the board and actual founding members of the Chamber...we have found this statement to be false as well....We ask that they kindly show proof/ paperwork showing that our grandfather was indeed a founding member of the AHCC.

5) "The rod iron used on the porch of this house was off a shipment that was used in the RailRoads in the 1800's on the east coast" on the same subject another statement was made pertaining to the Iron, statement was made by Dave Santos stating that the same Rod Iron was part of Joe Perez iron works were somehow part of the architectural importance of the house.

We know these statement to be false because our uncle Mr.Roy Rendon Sr. son of Edward Rendon Sr. was the one who installed that rod iron over a period of time . Uncle Roy had just become a welding apprentice and had rapidly excelled his way through learning and becoming the great welder

that he is today.....The reason he had done it over a period of time was because he would take home leftover scrap iron pieces left from jobs he was doing at work....so little by little he designed and created that beautiful Iron work that still stands today!! In my uncles own words he described how his intention was to "make my daddy proud" of his new found craft!!! As you can imagine ... His father truly was proud...and showed off his sons craftsmanship to any and all who visited his home! This is ample proof that the statements made by those speakers were a total falsification of the real TRUTH!!!

Finally we would like to end this letter with a few questions of our own.... If we may:

1) How is it that someone was allowed to put in an application to deem a property Historic that they do not own outright? And how at least, did they do so without the permission of the Person who is the Majority Owner? without even so much as a letter or email stating that this was the intention of the said party? How on earth is this Legal....I mean is it possible for me to fill out an application pay a fee and claim historical significance on any random house? Please help us understand how this happen from the start without prior acknowledgment by the Majority Owner and the owners who now have a small percentage in the property?

2) How is a Ruling made by a Judge in a court room in the United States of America overlooked by a historical application submitted by the original parties who sued to try and win the same said property that they now want to be a historical landmark?

We kindly ask that you help us understand these things for our own personal records.

Ladies and Gentleman of this Historical Commission, I could honestly go on and on trying to discredit their made up stories and misinterpreted accounts of events involving the history of not only our Grandfather but our entire family.... Or talk about the fact that the first order of business for Mrs. Montoya and Edward JR. was to try FIRST, to take the house away from my parents....the house they never paid a dime for....the house they wanted nothing to do with before the real estate went sky high and it was worth way more MONEY....We want an explanation on Why if my grandfathers wish was to have his home (which legally no longer belonged to him because he SOLD it) deemed historic...Then Why was that not the First move made by the them?? And if it were his dying wish to have the house deemed historic then why did he sell it 20 years back? Our intention has never been to fight against our family nor to try and make our Grandfather out to be something he was or was not....honestly ,This thing has dragged on for way to long.... it has been taken into Litigation and a decision made by a Federal Judge to sell the house and move on with our lives... its blatantly obvious that this is only a last ditch effort to try and make my mothers life miserable...more so than it already has been for her during this debacle ... Imagine yourselves in our situation...imagine that after paying over 80,000 dollars of your hard earned money for something... imagine someone taking it from you the day you showed up to make your last payment, their is someone their waiting for that payment to go through so they can snatch it right out of your hands and say "you stole this , and you manipulated your way into ownership of this item and now we are gonna sue because we deserve a piece of this just as much as you do....Imagine what that would feel like.... then imagine what the feeling is like when u find out its your own brother and sister doing these hurtful things to you..the younger siblings that you once treated as your own children....and cooked for and purchased clothes for as if they were your babies ...this is what we are living right now because of my Aunt Elisa Montoya and uncle Edward Rendon JR....imagine what that would feel like...and maybe just maybe you might get a sense of the pain my mother has endured throughout this whole process.....Commissioners, all we ask is that you take our story into consideration...and understand that this is the whole hearted truth in regards to this matter!! Thank

you again for your time and Service!!!! God Bless you  
All....

Sincerely

,

Robert Rubio Jr

- [ ]



BRIAN C. POTTER  
[Brian@banglepotter.com](mailto:Brian@banglepotter.com)

October 23, 2019

**Submitted Via Email (Steve.Sadowsky@austintexas.gov)**

Austin Historic Landmark Commission  
c/o Steve Sadowsky, Historic Preservation Office  
One Texas Center, 505 Barton Springs Road, 5<sup>th</sup> Floor  
Austin, Texas 78767

RE: Objection to designation of 1705 Haskell Street, Austin, Texas 78702 (the "Property") as a historic landmark

To the Austin Historic Landmark Commission ("AHLIC"):

My name is Brian Potter and I am the court-appointed receiver for the above-referenced Property. I am submitting this objection for the record in anticipation of the public hearing on a demolition permit applicable to the Property and decision whether to recommend designation of the Property as a historic landmark, which is currently set for October 28, 2019.

On April 15, 2019, I was appointed as receiver for the Property by Judge Guy Herman of the Travis County Probate Court. A copy of that order is attached hereto as Exhibit A. On October 11, 2019, the Court entered another order providing additional clarification as to my powers as receiver for the Property. A copy of that order is attached hereto as Exhibit B. As to the matters currently pending before the AHLIC, the two orders read in relevant part as follows:

**That Brian Potter of Bangle & Potter, PLLC....be appointed Receiver to sell the Property at a public or private sale, for cash and subject to confirmation by this Court upon sworn report of such sale.**

**The Receiver shall have the exclusive right to retain a real estate agent to sell the Property.**

**[The] Receiver has the power to close the sale of the Property by signing the closing documents on behalf of Plaintiff and Defendants, which include the heirs of Concepcion M. Rendon.**

**[The Receiver] has the right and power to represent the ownership interest of all owners of the property located at 1705 Haskell Street, Austin, Texas 78702 (the "Property") and as the representative of the owners' interest he has the right and power to oppose any effort to designate the Property as a historical**

October 23, 2019

**landmark (whether before the Historical Landmark Commission, the Austin Planning Commission or the Austin City Council) if he deems that opposition to a potential designation is necessary to ensure that the value of the Property is maximized in any sale or is necessary to sell the Property on terms that will facilitate a sale within a reasonable time frame.**

As set forth above, I am under Court order to sell the Property, to maximize its value and facilitate a sale within a reasonable time. Upon being sold, the funds are to be placed in the registry of the court, after which the Court will determine how they are to be disbursed amongst the heirs.

To that end and in furtherance of the Court's order, on or about June 6, 2019, I executed a contract for the sale of the Property, and an application for a demolition permit has since been submitted to the City by the anticipated purchaser. As it bears on this matter, know that every firm offer I received for the purchase of the Property was in anticipation of being able to build a new structure on the lot.

In my opinion, were the Property to be designated as "historic," it would likely render it impossible for me to effectuate to court's order to maximize the value of the Property for cash and to facilitate a sale within a reasonable time frame.

While I respect the fact that there are different opinions on this matter and that the former owner of the Property was a citizen of note, in furtherance of my mandate from the Court **I must respectfully object to any attempt to designate the Property as a historic landmark.**

In closing, know that I will be in attendance at the meeting scheduled on this matter and plan on making myself available for questions.

Sincerely,

Sincerely,

/s/      Brian C. Potter      /s/

Brian C. Potter

Enclosures

# **EXHIBIT A**

Cause No. C-1-PB-18-001609

ELISA R. MONTOYA, AS INDEPENDENT	§	IN THE PROBATE COURT
EXECUTOR OF THE ESTATE OF	§	
EULALIO EDUARDO RENDON	§	
Plaintiff	§	
v.	§	NO. ONE
	§	
ROSE RUBIO	§	
Defendant	§	TRAVIS COUNTY, TEXAS

**ORDER GRANTING ROSE RUBIO'S MOTION**  
**TO APPOINT RECEIVER TO SELL REAL PROPERTY**

On April 15, 2019, the Court, after considering Rose Rubio's Motion to Appoint Receiver to Sell Real Property (the "Motion"), the evidence and the arguments of counsel, is of the opinion that the Motion should be granted in its entirety.

It is therefore ORDERED, ADJUDGED AND DECREED that Rose Rubio's Motion to Appoint Receiver to Sell Real Property is GRANTED in its entirety.

It is FURTHER, ORDERED, ADJUDGED AND DECREED as follows:

1. The property at issue in the above-referenced lawsuit is a residential property located at 1705 Haskell Street, Austin, Texas 78702 (the "Property"), which is more particularly described as:

Lot No. Three (3), in the V.E. Taylor Subdivision, of Lots Nos. Five and Six (5 and 6), in outlet No. Fifty-nine (59) in Division "O", in the City of Austin, and in Travis County, Texas, according to the map or plat of said subdivision recorded in Vol. 470, Page 597, of Travis county Deed Records.

2. The Property is not susceptible to fair and equitable Partition in kind and it should be sold.

3. That Brian Potter of Bangle & Potter, PLLC, 604 West 13th Street, Austin, Texas 78701, (512) 270-4844, be appointed Receiver to sell the Property at a public or private sale, for cash and subject to confirmation by this Court upon sworn



I, Dana Debeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on

By Deputy:

Dana Debeauvoir, County Clerk

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A. BLAIR HICKS



report of such sale. The Receiver shall post a bond of \$13,000.00 and enter an Oath as Receiver.

4. The Receiver shall have the exclusive right to retain a real estate agent to sell the Property and shall have the exclusive right to sell the Property with a 5% commission. Additionally, the Receiver has the power to close the sale of the Property by signing the closing documents on behalf of Plaintiff and Defendants, which include the heirs of Concepcion M. Rendon.

5. Upon approval by the Court of the sworn report of sale, the Receiver shall pay the Receiver's reasonable and necessary attorneys' fees and expenses from the net sale proceeds from the sale of the Property and deposit the remaining net sales proceeds into the Court Registry of the Travis County Clerk.

 04/15/2019  
Judge Presiding

HONORABLE PROBATE JUDGE  
TRAVIS COUNTY PROBATE COURT



I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on

By Deputy:

Dana DeBeauvoir, County Clerk

APR 18 2019

  
A. BLAIR HICKS

# **EXHIBIT B**

Cause No. C-1-PB-18-001609

ELISA R. MONTOYA, AS INDEPENDENT	§	IN THE PROBATE COURT
EXECUTOR OF THE ESTATE OF	§	
EULALIO EDUARDO RENDON	§	
Plaintiff	§	
v.	§	NO. ONE
	§	
ROSE RUBIO	§	
Defendant	§	TRAVIS COUNTY, TEXAS

**ORDER GRANTING DEFENDANT'S MOTION SEEKING  
CLARIFICATION OF THE RECEIVER'S POWERS**

On October 11, 2019, the Court, after considering Defendant's Motion Seeking Clarification of the Receiver's Powers (the "Motion"), the evidence and the arguments of counsel, is of the opinion that the Motion should be granted in its entirety.

It is therefore ORDERED, ADJUDGED AND DECREED that in addition to the rights and powers identified in the Court's Order Granting Rose Rubio's Motion to Appoint Receiver to Sell Real Property, that Brian Potter of Bangle & Potter, PLLC (the "Receiver") has the right and power to represent the ownership interest of all owners of the property located at 1705 Haskell Street, Austin, Texas 78702 (the "Property") and as the representative of the owners' interest he has the right and power to oppose any effort to designate the Property as a historical landmark (whether before the Historical Landmark Commission, the Austin Planning Commission or the Austin City Council) if he deems that opposition to a potential designation is necessary to ensure that the value of the Property is maximized in any sale or is necessary to sell the Property on terms that will facilitate a sale within a reasonable time frame.

Guadalupe Neighborhood Development Corporation has until 12:00pm on October 18<sup>th</sup>, 2019, to submit a cash-offer contract in excess of \$485,000 for the property located at 1705 Haskell Street, Austin, Texas 78702, with a thirty-day closing period.

  
Judge Presiding

10/11/2019

HONORABLE PROBATE JUDGE  
TRAVIS COUNTY PROBATE COURT

APPROVED AS TO FORM AND SUBSTANCE.

\_\_\_\_\_  
Noel L. Stout, Attorney for Defendant

\_\_\_\_\_  
Brian Potter, Receiver

UNOFFICIAL



ALMANZA, BLACKBURN, DICKIE & MITCHELL LLP  
— ATTORNEYS AND COUNSELORS AT LAW —

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October 25, 2019

*Via Email: [andrew.rice@austintexas.gov](mailto:andrew.rice@austintexas.gov)*

Commission Members  
c/o Andrew Rice  
Historic Landmark Commission  
One Texas Center, 505 Barton Springs Rd.  
Austin, Texas 78704

*Via Email: [steve.sadowsky@austintexas.gov](mailto:steve.sadowsky@austintexas.gov)*

Steve Sadowsky  
Historic Preservation Officer  
One Texas Center, 505 Barton Springs Rd.  
Austin, Texas 78704

Re: 1705 Haskell Street – Rendon House

Dear Commissioners and Mr. Sadowsky:

As you know, I represent Rose Rubio with respect to her ownership interest in the property located at 1705 Haskell Street, Austin, Texas 78702 (the “Property”). Mrs. Rubio is opposed to any effort to initiate a historic zoning case related to the Property.

I have seen the recent news stories regarding the Property and that the Commission is considering “bending the rules” to recommend that the Property be designated as a historic landmark. The article included a quote from Mr. Sadowsky from a recent Commission meeting in which he stated:

Staff would argue that despite the modifications to the house, this house represents the person being commemorated and that the changes to the house should definitely be considered as an exception to our normal operating procedure.

Section 25-2-335 of the Land Development Code provides that the Commission “shall consider the criteria under Section 25-2-352 (Historic Designation Criteria)” when considering a recommendation for historic zoning. Section 25-2-352 is clear. It does not allow the Commission to make “exceptions” or simply ignore the criteria in the statute. Instead, the Commission is tasked with determining whether the property meets the criteria. In this case, the Property does not meet the criteria. In fact, there is no dispute that it does not, because Mr. Sadowsky already acknowledged that it does not. Accordingly, the Commission does not have the legal authority or discretion to make an exception to section 25-2-352.

Additionally, as you know, the Property is currently under contract to be sold and the sale can take place immediately once the Commission releases the buyer’s demolition permit. Therefore, my client is incurring damages each day that the Commission continues to refuse to release the permit. Moreover, if the Property were to be designated as a historic landmark (despite the clear acknowledgement that it does not meet the criteria), my client will incur significant damages because the Court appointed Receiver and will be forced to sell the Property for a lower price. If that occurs,

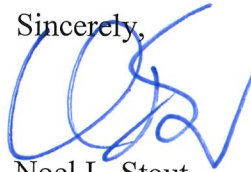
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my client will have no choice but to file a lawsuit based on inverse condemnation and the full amount of her damages from the City.

I appreciate your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to be "NLS", written over the word "Sincerely,".

Noel L. Stout

NLS:xob