

Owner:

Cater Joseph
DC+CJ Poplar Street LLC
2402 MARLTON DR
AUSTIN, TX 78703-3821

Legal Description: 211.5X158.5 APPROX OLT 59 DIVISION D

Zoning: H; LO; CO; NP

Request:

Construct two apartment buildings adjacent to the Maverick Miller house, a locally designated landmark. The buildings are designed to be subordinate to the Maverick Miller house.

Preservation Austin:

Preservation Austin holds the restrictive covenant for the building (2006, amended 2020). The plans for the new buildings were developed with extensive consultation and input from Preservation Austin over a three year period. Preservation Austin established a committee of preservation professionals to work with the property owner on developing a rehabilitation plan and schedule for the Maverick Miller house and the plans for the new development. Over the three year period, numerous meetings were held to discuss and develop a suitable plan for the house and the new construction. Preservation Austin is providing a letter of support for the project. New construction is essential to maintain the viability of the Maverick Miller house.

Preservation Austin understands that by negotiating a plan for new construction on the lot and amending the restrictive covenant, the Maverick Miller house will remain viable for the years to come. By not subdividing portions of the lot to be sold for development and working to develop an innovative solution, Preservation Austin and Cater Joseph have ensured the long term sustainability of the Maverick Miller house.

Background:

The Maverick Miller house, designated a City of Austin Historic Landmark in 1999, is a two story limestone house with a cross gable, hipped roof. Noted economist and University of Texas professor Edmund T. Miller (1878-1952) and his wife, Emily (1884-1979), an artist and member of the pioneer Maverick family of San Antonio, acquired this property in 1922. The design for their home was the work of Emily Miller, her nephew Edward Sammons Maverick, and architecture professor Raymond Everett. Built to complement the hillside setting and completed in 1923, the house features the work of metal craftsman Fortunat Weigl and retains many of its original landscaping features. The building is also a Recorded Texas Historic Landmark (2001) and it has been deemed eligible for the National Register. Preservation Austin holds a restrictive covenant on the property (2006; amended 2020).

Project Development:

The project was developed with extensive negotiations and input from Preservation Austin over a three year period. Preservation Austin appointed a committee of preservation and development professionals to negotiate the rehabilitation of the Maverick Miller House, the proposed new development, and the amendments to the covenant. Additionally, Preservation Austin and the property owner, Cater Joseph, preservation architect, Emily Little of Clayton & Little, and preservation consultants, Post Oak Preservation Solutions, worked extensively on developing a rehabilitation plan for the Maverick Miller house. This entailed numerous meetings and site visits to analyze the condition of the house as well as develop a proposal for the new construction. This process included numerous meetings, site visits, reports and discussions to ensure that the project would follow the Secretary of the Interior's Standards for Treatment of Historic Properties, preservation best practices and the expectations of Preservation Austin and the preservation community.

Architectural Design Review Committee

The project has been brought before the Architectural Review Committee twice, on November 2nd and November 30th. The Committee made several comments and suggestions and the property owner, Cater Joseph, has worked to answer the Committee's comments and has altered the design. The Architectural Review Committee made comments concerning the placement of Building 1 and the massing of the second floor.

New Development Concept and Restrictive Covenant:

Again, this project was developed over a three year period with ongoing meetings between Preservation Austin and the property owner. There were numerous meetings to discuss and review various schematics and plans developed for the site, using the 2006 restrictive covenant as a starting point. Both Preservation Austin and the owner and his architects (Maker Architects) recognized that some revisions would need to be made to the covenant for new development to be viable, and, both agreed that it was important not to compromise the historic integrity of the Maverick Miller house. Amendments to the covenant were developed during this process to respond to the proposed project. Preservation Austin and the owner have agreed to the amendments to the covenant.

Considerable attention was given to the massing, scale, height, profile, design, materials, and siting of the new construction in the discussions with the Preservation Austin committee. Several meetings were held over the three year period to refine the design, scale and placement of the new construction to ensure that it would not be detrimental to the historic house. Again, preservation professionals from Preservation Austin and preservation consultants and architects to the property owner worked diligently to ensure a project that meets the Secretary of the Interior's Standards for Treatment of Historic Properties as well as preservation best practices for new construction at a historic site.

Topography and Engineering Concerns

The **topography** of the site with a significant slope down to the north end of the lot has provided the opportunity to obscure much of the massing and height of the buildings below grade. The slope of the grade on the lot is approximately 25 feet, allowing the majority of the new construction to be set into the hill, lessening impact on the Maverick Miller house.

The City Engineer in an **Environmental Resource Inventory Report** (performed November 11 and December 17, 2020) identified a Rimrock just beyond the north boundary of the property. In most situations, the City Engineer would not allow construction within 125 feet of the Rimrock. However, the project received a variance to allow construction within 50 feet of the Rimrock in this situation. Building 2 will be moved towards the Maverick Miller house to accommodate the City's regulations. It will be 19 feet 5 inches from the Maverick Miller house. This also means that Building 1 must remain where it is.

The committee, the owner and the owner's consultants recognized that this aspect of the property would help to achieve the goal of a viable project while protecting the Maverick Miller house. They spent a considerable amount of time reviewing and revising the building footprints, height, scale and siting to ensure that the new construction will be *subservient* to the Maverick Miller house. Siting of the buildings was also a paramount consideration to ensure that the new construction was set away and back from the Maverick Miller house so as not to visually obscure or dominate the building.

Maverick Miller House Maintenance/Repair Plan: (See photos below pp.18-19)

One of the most important aspects was to create an ongoing maintenance plan for the Maverick Miller house. The house had suffered from neglect and vandalism over the years which was of great concern to Preservation Austin. The rehabilitation, maintenance, and repair plan, which followed the Secretary of the Interior's Standards for Rehabilitation, was developed with input by the committee. City Preservation Staff also approved the proposed maintenance and repair for the historic landmark. Extensive research on products and methods for repair, maintenance, and graffiti removal was done to ensure that any work done would be in compliance with the *Secretary of the Interior's Standards for Treatment of Historic Properties* and best preservation practices. Assessments of the roof and foundation condition were also done. The owner

gave regularly scheduled updates to the Preservation Austin Committee on the progress of the ongoing maintenance for the house; City Preservation staff was also regularly informed of progress.

Maverick Miller House: Maintenance and Repair

Maintenance and repair of exterior features of the Maverick Miller house has been taking place under the guidance of City Preservation Staff and Preservation Austin, per the rehabilitation, repair and maintenance plan that was developed. Windows have been repaired and secured, security lighting has been installed on site, and the stone has been cleaned and an anti-graffiti coating has been applied. Repointing where necessary has been completed. Appropriate roofing material has been chosen. The decorative Weigl metal features are being restored. An on-site caretaker is tasked with routine maintenance and cleaning of the house and site. As part of the future for this site, the house will be utilized and have bedrooms, kitchen facilities, and bathrooms.

Site: The site is 32,684 square feet with approximately 100 feet fronting Poplar Street and 200 feet deep that slopes steeply downward to the north. The grade has a 25-foot slope. The site includes stacked stone walls that run east-west on the northern section of the property. A stone stairway runs north from the stone courtyard into the woods at the rear of the property. The property line in the woods is currently marked by a chain link fence. The rest of the site is open with a small parking area to the east of the house. The topography of the site allows the height and mass of the buildings to be situated away from the Maverick Miller house.

The **topography** and slope of the site to the north is significant, approximately 25 feet, and allows for the lower stories of the buildings to be subterranean and placed such that the height is not evident. The topography allows the new construction to be nestled into the slope, lessening the impact on the Maverick Miller house. The topography of the lot ensures that the Maverick Miller house is not overshadowed by the buildings and that the new construction will be subservient to the Maverick Miller house. However, the identification of the Rimrock south of the property has impacted the location of the buildings and Building 2 will be moved forward to 19 feet 5 inches north of the house and Building 1 must remain where it is currently located.

Project Description:

The project consists of the construction of two apartment buildings adjacent to the Maverick Miller house. The Maverick Miller house is approximately 19 feet at the ridgeline and approximately 26 feet tall at the tower.

Building 1 will be constructed to the west of the Maverick Miller house and Building 2 will be constructed to the north. The design of the project has taken into consideration the Secretary of the Interior's Standards.

Scale and massing of the buildings was given careful consideration so that the design of the new construction would not overwhelm the Maverick Miller house. The design, massing, scale, fenestration patterns, roof shape and materials for the new buildings are compatible with the historic house. Stone and board and batten siding will be utilized; the roof design will be cross gable with clipped gables on the ends (adjacent to Maverick Miller), like the house, and the windows will be one-over-one in a paired pattern across the primary elevations.

The topography of the site with the slope down to the north minimizes the impact of the buildings by allowing the height and mass to be situated on the downward slope, away from the Maverick Miller house. The topography of the site allows the bulk of the buildings to be built into the hillside thereby obscuring parking and lower levels of the buildings.

FAR (Sheet A0.1)

FAR Allowed: 70%	22,878 Square feet
FAR Used: 47%	15,210 Square feet

Parking (Sheet A0.1)

21 spaces

Building 1 (See A0.2, A1.1, A1.2, A1.3, A1.4, A1.5, A2.1, A2.2, A2.5, A2.6, A3.9, A3.10, A3.12)

The Architectural Review Committee made comments concerning the adjacency of the building to Maverick Miller and the massing of the second floor. The property owner has redesigned portions of Building 1 to accommodate the comments.

The building will be two stories, 22 feet at wall height, 27 feet 6 inches at the ridgeline, and 30 feet 2 inches at the gable (Sheet A2.1-A.2.2).

Stone on the first floor and board and batten on the second floor are utilized for the building's exterior. The board and batten will be painted a light color to be more compatible with the Maverick Miller house. (See A3.5 and A3.9 although a dark color is used in some of the renderings, it will be changed to the lighter color)

The front of Building 1 is set back from the front elevation of the house approximately 15 feet with plantings and sidewalks between the two structures. (See Sheet A0.1, A2.6, A3.9)

The proposed Building 1 will be located approximately 23 feet west of the Maverick Miller house for the first floor. (A0.1, A2.6 and A3.9)

The first floor of the front facing elevation is setback 23 feet from the Maverick Miller house to the west wall of the house. (See Sheet A0.1) The Architectural Review Committee requested the second floor, at the east elevation, be set back more from the house. (See Sheets A1.3, A2.1, A2.6, A3.9) The second floor front facing elevation is set back on the east facade approximately 24' 6" from the west elevation wall of the Maverick Miller house. (See Sheet A1.3, A.2.6, A3.9) The overhang of the second floor has been reduced to 2'8".

A clipped gable was added to the roof of the stone two story portion of the building to reduce the perception of looming over the Maverick Miller house per the request of the Architectural Review Committee. (See Sheet A2.1, A.2.6, A3.9)

The front elevation will have paired windows and the roof will be cross gabled. The majority of the mass and scale of the building is located below grade. There is an 11-foot slope in the grade that will hide a large portion of the building, making its impact subordinate to the Maverick Miller house. The lower parking area is below grade.

The northward slope of the property will allow parking will be provided at the rear and underneath the building without it being visible from Poplar Street. Access for parking will be provided from San Gabriel Street, on the west side of the lot so not to impact the Maverick Miller house.

Building 1 (See Sheet A0.1, A2.1, A3.9-10, rendering of rear of both buildings looking north)

Height	Maverick Miller	Building 1
At Ridgeline	18 feet 6 inches	27 feet 6 inches
At Gable	Tower 25 feet 9 inches	30 feet 2 inches

Setbacks	
Maverick Miller roof overhang (west) to Building 1 east wall	23 feet
Maverick Miller west wall to Building 1 east wall	24 feet 6 inches
Building 1 front elevation setback from Maverick Miller front	14 feet 9 inches

Floor 1 area	3,827 square feet
Floor 2 area	3958 square feet
Roof Terrace area	487 square feet
Total area	8,271 square feet

Building 2 (See A1.6, A1.7, A1.8, A2.3, A2.4, A2.6, A3.1, A3.10, A.12, rendering of rear of both buildings looking north)

The proposed Building 2 will be located approximately 19 feet 5 inches north of the Maverick Miller house due to the City Engineer's report that a Rimrock is located just south of the north boundary line in the greenbelt. (See Sheet A0.1) The building will be three stories, and is situated where the lot slopes downward to the north. The tower on the Maverick Miller house is approximately 26 feet tall; the ridgeline of Building 2 adjacent to the tower is 19 feet, 5 inches. The eave of the Terrace is 20 feet. (See Sheet A2.3, A2.4, A2.6, A3.1) The height and placement of Building 2 make the building subordinate to the Maverick Miller house; with the slope of the property, the majority of the building is nestled below grade. The setback and lower height ensure that it is subservient to the historic building. Stone on the first floor and board and batten on the second floor are utilized for the building's exterior. The elevations will have paired windows and the roof will be cross gabled.

Height	Maverick Miller Tower	Building 2
At Ridgeline	25 feet 9 inches	19 feet 5 inches
At Eave of Terrace		20 feet

Building 2 (See Sheet A0.1, A3.1, A3.12)

Floor 1 area	2,998 square feet
Floor 1A area	3,179 square feet

Floor 2 area	3,051 square feet
Terrace area	487 square feet
Total	9,714

Site Features

The historic retaining walls will be repaired. A small portion located north of Building 1 and at the west end will be removed and relocated on site. (See Sheet A0.1)

Pools will be located behind and adjacent to the new construction; they will not be visible from the street. (See Sheet A0.1)

Secretary of Interior's Standards for Treatment of Historic Properties:

The Maverick Miller house is an individual historic landmark and applications are reviewed based on the Secretary of the Interior's Standards for the Treatment of Historic Properties.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The new construction is setback and away from the historic building. The slope of the lot allows much of the massing, scale and height to be obscured and hidden by the topography of the lot. Building 1 is set back approximately 15 feet from the front sidewalk and the Maverick Miller house and is situated 23 feet west of the house; the second story 24 feet 6 inches. Building 1 is approximately 9 feet taller than the house (at the ridgeline) and two feet taller than the tower on the house. The gables on the side elevation have been clipped to set them back from the Maverick Miller house. The lower level of the building is set below grade to help obscure the scale and mass, helping to make it subordinate to the house.

Building 2 is located 19 feet 5 inches to the rear of the Maverick Miller house on a portion of the site that slopes down approximately 25 feet. The bulk of the building is nestled into the side of the hill lessening the impact to the Maverick Miller house. The tower of the house, which is adjacent to Building 2, is approximately 26 feet tall whereas the building, because of its siting, is approximately 19 feet at this point.

The massing and scale of the buildings has been designed to be subordinate to the Maverick Miller house by utilizing the topography of the lot and building into the slope. The exterior materials for the buildings are a light stone and wood, referencing the Maverick Miller house's exterior materials. The buildings use a paired window pattern with one over one windows again referencing the house but not copying it. The roof pattern for the buildings is a cross gable similar to the house. While the massing, scale and materials of the new construction are compatible with the Maverick Miller house, they are clearly contemporary.

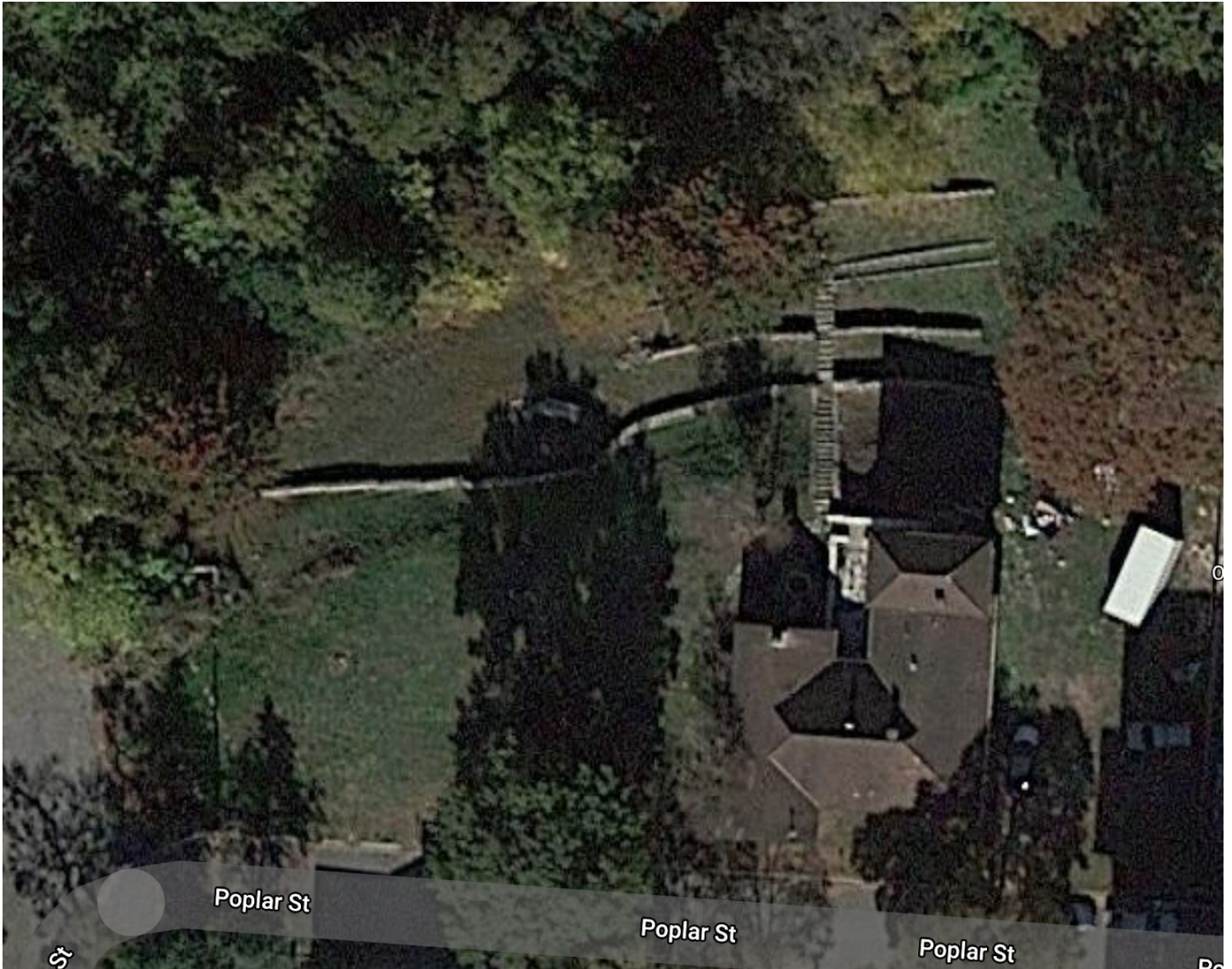
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

In the future, if the new construction is removed, it will not have an impact on the Maverick Miller house or significant landmark features.

Preservation Austin Covenant:

Although the Historic Landmark Commission is not party to the covenant on the Maverick Miller house that is held by Preservation Austin, it is important to note that the project meets those standards which have been negotiated over the past three years through multiple meetings, site visits and reviews.

Aerial of property





View north of primary (south) elevation



View NE from the corner of Poplar & San Gabriel



View E toward house from San Gabriel St



View East toward the house. Note the slope down to the left (north)



View NW of the field to the west of the house



View NE down the hillside to the west and north of the house



View east of the terraces and steeply sloped site.



View southeast toward the house from the bottom of the hill



View E of the terraces near the bottom of the hill



View southwest of the terraces near the bottom of the hill



View west of the terraces and steeply sloped site



View south toward the parking lot to the east of the house. Turned earth is from the removal of a large tree stump.



View northeast of the slope along the eastern property line

Rehabilitation of the Maverick Miller House April 2020

Restoration of Windows (after)



Stone Cleaning

Before stone cleaning



After stone cleaning

