

March 18, 2021

Matt Sloan
Owner, Wild Susan LLC

RE: Case Number GF 21-015014
Comments for Consideration

These comments are in relation to the demolition permit applied for on 6800 Woodrow Avenue 78757 ("First Cumberland" or "FCPC" hereafter) by Michael Tevis and/or a business interest of his (including but not limited to Intrinsic Ventures, Intrinsic Companies, and Woodrow Studios).

I am the owner of a local candle business called Wild Susan and have a prior business relationship with the owner. This is a description of mine and my business' experience with the aforementioned owner. On November 11, 2020, I responded to a posted ad for art studios for lease because my business was at the point of outgrowing my home studio and I needed a separate work space. I spoke with Mr. Tevis the same day, describing my business and what my use of a studio looks like. He responded favorably and I scheduled a walkthrough with Patrick Hill, the NAI Partners real estate broker, the following day. I described my business again to Mr. Hill, and we agreed that the space would be a good fit for my business needs. I signed the commercial lease on November 16, 2020 and began moving my production within the next few days. Within a couple weeks, I realized I needed more space for storage as 50lb boxes of wax take up a good bit of room, so I contacted Mr. Hill to lease another space in the building which was signed on December 14, 2020.

On December 10, 2020, a substantial water leak occurred in a closet adjacent to my space, which damaged the protective floorboards I placed to avoid damaging the carpet and forced me to dispose of them as well as some other business assets. I reported the leak and made no issue over the business property.

The first (and only) time I met Mr. Tevis was on December 15, 2020 at a building-wide meeting. Prior to the meeting, Mr. Tevis commented to me that "I'm used to artists just piddling around in their studios, and you're running a business." Obviously, I was a bit taken aback for two reasons – one, I described in full detail in our initial discussions what I would be using the studio for, and yes, I run a business to support my family; two, if his view of artists is that they "piddle" around, does he really understand what they do or even care? He also removed a closet from my previously leased space claiming that it was needed for the building, and said I was using too much power. I made a handshake agreement to keep the rent the same with the reduced space if he felt I was using too much power. He then said "I value open communication, so keep this up."

About two weeks later, after not having heard a word from Mr. Tevis or any related parties, he called and said, "You have to move out. Your use is too industrial and other tenants are complaining about the smell." Naturally, I wondered who was complaining, so I reached out to the other tenants of the building, only to find out it was *one former* tenant, and every other tenant I spoke with responded favorably. The "too industrial" aspect is just flatly not true, as my utility bill at home averages \$7 more when my studio is here than when it's not. I'm quite confident that Austin Energy would confirm that even their smallest industrial users far exceed that cost for their electricity alone.

Over the course of a couple weeks in January, I vacated the space and sent invoice notification on February 4, 2021 for the return of the security deposit. This went wholly ignored until March 5, 2021, when Mr. Tevis responded to an e-mail I sent on March 3, 2021 to Lynn McAllister (the business manager for Woodrow Studios) inquiring where the deposit was. Mr. Tevis accused me of damaging the carpet, but quickly reversed course when I pointed out that I had photographic evidence of both before move-in and after move-out, as well as the water leak. Mr. Tevis then demanded that I sign an indemnity and release before he would refund my deposit, upon which I promptly refused (Why would I sign something saying I don't hold you liable when you are trying to withhold money you owe me?). Finally, on March 8, 2021, both Mr. Tevis and Ms. McAllister insisted in multiple e-mails that the check was mailed. It wasn't received until March 13, 2021 (no, mail across Austin doesn't take that long) and was postmarked March 10, 2021. While this specific instance isn't all that big of a deal, it directly speaks to the rampant dishonesty that Mr. Tevis and related parties have exhibited and continue to show.

All of this forced me to do more research on FCPC and what is really going on here, and here's what I've found:

1. The property is zoned SF-3 with a Civic designation
 - a. The building is NOT being used for civic purposes
 - b. Commercial art studios are a disallowed use under residential zoning – they are trying to get around this by calling it a “club,” but there are no bylaws or organization of a club
 - c. The leases being written on the space are commercial leases, which would imply the building is being used for commercial purposes
2. The property has no working fire suppression system
 - a. Since this is a commercial property, a working fire suppression system is required. There is not one present.
 - b. There is at least one tenant living on the premises, making this an extremely dangerous omission.

What do I believe needs to happen here?

1. The zoning commission should disallow use of the building as it is currently being used
2. The fire marshal should investigate the absence of a fire suppression system
3. The city attorney should investigate the illegal operation of a commercial building and pursue appropriate charges
4. The state's attorney should have Mr. Tevis barred from participating in the real estate market in Texas

Unfortunately, it is abundantly clear that Mr. Tevis is simply trying to take advantage of a “hot” Austin housing market by flipping a beautiful historical landmark into 16 residential lots for redevelopment. We need to ask the real question – is preserving the historical and cultural significance of this property more important than lining an out-of-towner's pockets? I believe the answer is an obvious yes.

The only thing “intrinsic” to Michael Tevis and the companies he owns or works with is unabated selfishness, and that doesn't belong in the City of Austin or the State of Texas.

Sincerely,

Matt Sloan

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to do so. This meeting will be conducted online and you have the opportunity to speak FOR or AGAINST the proposed development or change. Email or call the staff contact for information on how to participate in the public hearings online. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, please visit our website: www.austintexas.gov/abc

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, the Case Number and the contact person listed on the notice.

Case Number: GF 21-015104 - 6800 WOODROW AVE
Contact: Elizabeth Brummett, (512) 974-1264
Public Hearing: Historic Landmark Commission, Mar. 22, 2021

☐ I am in favor

☒ I object

Kristi Daugherty 1303 Choquette Dr. Austin, TX
Your Name (please print) Your address(es) affected by this application 78757

Kristi Daugherty 3/20/21
Signature Date

Comments: I object to the demolition of the church
on 6800 Woodrow Ave.

If you use this form to comment, it may be returned to:
City of Austin Housing and Planning Department
Historic Preservation Office, ATTN: Elizabeth Brummett
P.O. Box 1088
Austin, TX 78767-8810
E-mail: preservation@austintexas.gov