

City of Austin - Historic Preservation Office
Historic Zoning Application Packet

General Overview

Historic zoning is a zoning overlay which is added to the base zoning of a specific tract of land (for example CBD-H denotes Central Business District-Historic Zoning). To qualify for City Historic Landmark status, a property must meet one or more (but typically five or more) of the local historic criteria (see criteria below). Applicants need to submit historical documentation demonstrating how the property meets these criteria (see attached submittal requirements).

The City Historic Landmark Commission reviews all applications for City Historic Landmark designation, with the Austin City Council making final decisions on these designations. Please note that at least (3) months is typically required to process a City Historic Landmark designation through the City Council from the time a complete application is received.

Once designated, all proposed exterior site and building changes (other than routine maintenance) to a historically zoned tract require advance review and approval by the City Historic Landmark Commission. A copy of the Historic Landmark Commission's review standards is available from the City Historic Preservation Office. City Historic Landmark properties that are in good repair and in full compliance with the City historic review requirements are eligible to apply annually for a historic property tax exemption. For information on the historic zoning process, refer to Chapter 25-2 of the City Land Development Code.

WHERE TO APPLY:

To ensure that the application is complete, an advance review by the City Historic Preservation Office is required. Applications may be submitted at the receptionist's desk, 5th floor, One Texas Center, 505 Barton Springs Road by appointment. Phone (512) 974-2727 for an appointment.

TIME FRAME FOR PROCESSING HISTORIC ZONING CASES:

Each historic zoning case is reviewed by the Historic Landmark Commission at a regularly scheduled meeting of the Commission approximately four to six weeks after receipt of application. The Historic Landmark Commission meets once a month, typically on the 4th Monday of each month. The case is then heard by either the Zoning and Platting Commission or the Planning Commission approximately three weeks after the Historic Landmark Commission hearing, and then by the City Council approximately six weeks later.

SUBMITTAL REQUIREMENTS:

Refer to Instructions and Submittal Checklist. Complete Application Forms, supplemental materials, and Affidavits.

THE FOLLOWING CITY HISTORIC LANDMARK CRITERIA ARE CONSIDERED WHEN REVIEWING A CITY HISTORIC LANDMARK APPLICATION:

- The property is at least 50 years old and represents a period of significance of at least 50 years ago, unless the property is of exceptional importance as defined by National Register Bulletin 22, National Park Service (1996); and
- The property retains a high degree of integrity, as defined by the National Register of Historic Places, that clearly conveys its historical significance and does not include an addition or alteration which has significantly compromised its integrity; and
- The property is individually listed in the National Register of Historic Places; or is designated as a Recorded Texas Historic Landmark, State Archeological Landmark, or National Historic Landmark OR demonstrates significance in at least two of the following categories:
 - (i) Architecture. The property embodies the distinguishing characteristics of a recognized architectural style, type, or method of construction; exemplifies technological innovation in design or construction; displays high artistic value in representing ethnic or folk art, architecture, or construction; represents a rare example of an architectural style in the city; serves as an outstanding example of the work of an architect, builder, or artisan who significantly contributed to the development of the city, state, or nation; possesses cultural, historical, or architectural value as a particularly fine or unique example of a utilitarian or vernacular structure; or represents an architectural curiosity or one-of-a-kind building. A property located within a local historic district is ineligible to be nominated for landmark designation under the criterion for architecture, unless it possesses exceptional significance or is representative of a separate period of significance.
 - (ii) Historical Associations. The property has long-standing significant associations with persons, groups, institutions, businesses, or events of historic importance which contributed significantly to the history of the city, state, or nation; or represents a significant portrayal of the cultural practices or the way of life of a definable group of people in a historic time.
 - (iii) Archeology. The property has, or is expected to yield, significant data concerning the human history or prehistory of the region;

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- ✓ (iv) Community Value. The property has a unique location, physical characteristic, or significant feature that contributes to the character, image, or cultural identity of the city, a neighborhood, or a particular group.
- (v) Landscape Feature. The property is a significant natural or designed landscape or landscape feature with artistic, aesthetic, cultural, or historical value to the city.

HOW TO OBTAIN INFORMATION:

Contact the City Historic Preservation Office if you have questions concerning an Historic Zoning application. The Historic Preservation Officer will serve as liaison between you and the City of Austin and function as your main point of contact. Once your application has been submitted, any questions, problems, conflicts, etc., should be directed to the Historic Preservation Officer at (512) 974-6454.

APPOINTMENTS:

Appointments should be made if you wish to see the City Historic Preservation Officer or other staff.

ETHICS AND FINANCIAL DISCLOSURE INFORMATION:

If you or your agent/representative were a City employee or City official within the past 24 months, you may be subject to the Ethics and Financial Disclosure Ordinance (860717-X). Additional information is available from the City Clerk.

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Application Instructions

All applications must include: A. Application Form, B. Tax Maps, C. Tax Certificate, D. Submittal Verification and Inspection Authorization Form, E. Acknowledgement Form, and F. Historical Documentation. All information must be complete before an application form can be accepted and processed. Please note that fees are required for owner-initiated historic zoning cases [contact City Intake Office at (512) 974-2681 or (512) 974-6338 for fee information].

A. APPLICATION FORM - Type or print all information. One copy of the completed application form shall be submitted in which the following items shall be addressed:

- ✓ 1. **Owner:** Please indicate name of current owner. The current owner, or authorized agent, may apply for the zoning change.
- ✓ 2. **Project Name:** Fill in the proposed "historic name" of the property. Generally, this should be the last name of the first owner of the historic house/building followed by last names of any owners who occupied the site for a significant amount of time (e.g., Bailey-Houston House).
- ✓ 3. **Project Street Address(es):** Indicate the project address or, if not available, the range of addresses for all streets abutting the property. For assistance, contact city addressing staff at 974-2398.
- ✓ 4. **Area to be Rezoned:** The area of the tract(s) for which a zoning change is being requested shall be shown in square feet or acres. If more than one type of zoning is being requested, identify each tract and indicate size and type of zoning being requested.
- ✓ 5. **Existing and Proposed Zoning:** Indicate existing zoning (e.g., SF-3) and use (e.g., residence), as well as proposed zoning (e.g., SF-3-H) and use (e.g., residence). If more than one tract is involved, identify by tract number and corresponding acreage or square footage. Zoning map books are available in the Document Sales Section, One Texas Center, 505 Barton Springs Road, 1st Floor in order to assist with verifying a tract's existing zoning.
- ✓ 6. - 9. **Active Zoning case, Subdivision case, Restrictive Covenant changes, and/or Site Plan Requests:** If there are any pending requests on the property covered by this application, please indicate requested information.
- ✓ 10. **Property Description:** The property description shall accurately describe only that area for which a zoning change is being requested. This description shall be by either lot and block of a recorded subdivision, including plat book and page, or by certified field notes describing only the land area needed for the proposed use(s). If field notes are supplied, the survey map and a copy of field notes are needed using the following format:
 - a) Prepared on 8 1/2 x 11 paper
 - b) Typed in a standard business typeface (Legible)
 - c) Begin with a caption that describes the total tract
 - d) Surveyor's calls included
 - e) End with the words "to the point of beginning"
 - f) Sealed by a registered public surveyor
- ✓ 11. **Deed Reference and tax parcel identification number.** The volume and page numbers of the deed conveying the property to the present owner and the total size of the property conveyed shall be shown. This information is on your deed or is available in the County Clerk's Office, Travis County Courthouse. Tax parcel identification information is available from the Travis County Appraisal District (TCAD) on their web site www.traviscad.org at Walnut Creek Business Park, 8314 Cross Park Drive (U.S. 290 and Cross Park Drive), phone (512) 834-9317.
- ✓ 12.-14. **Other Provisions. Combining/Overlay Districts** - If the historic zoning request falls within a zoning combining district (such as a Neighborhood Plan or NP combining area), National Register Historic District or other overlay districts please fill in this information in the space provided. For additional information, contact the the Development Assistance Center at (512) 974-6370.

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- ✓ 15. **Type of Ownership** - If the ownership is other than sole or community property, attach a list of the partners/beneficiaries/principals and their positions.
- ✓ 16. **Owner information** - Owner information is required. If the owner agrees to be represented by an agent, then please a written authorization for the agent to represent the owner's interests. If there is more than one owner, attach additional owner information to application. Be sure that all signatures are legible and address information is correct.
- ✓ 17. **Agent Information** - If designated, this will be the Planning and Zoning Department's primary contact. If the agent changes, your Case Manager should be notified.

✓ **B. TAX MAPS** - Tax maps are used to obtain property owner names and addresses for notification. Tax maps must be submitted with all zoning applications and shall meet the following requirements:

- ✓ 1. One blueline copy of each of the current tax plats, showing all properties within 500 feet of the tract for which zoning approval is being requested. Include all maps referred to in the 500 feet surrounding the tract. Outline the subject tract in red. (DO NOT SPLICE THE MAPS TOGETHER).

Tax maps are available at the Travis County Appraisal District (TCAD) at Walnut Creek Business Park, 8314 Cross Park Drive (U.S. 290 & Cross Park Drive), phone 834-9317.

- 2. For projects located outside of Travis County, applicants must submit a list of names and addresses of all property owners located within a 500-foot radius of the subject tract.

✓ **C. TAX CERTIFICATE** - A Tax Certificate must be submitted with all zoning applications. This certificate may be obtained from the County Tax Office located at 5501 Airport Boulevard and should indicate that no taxes are owed on the property.

✓ **D. INSPECTION AUTHORIZATION FORM** – A signed authorization form must be included.

✓ **E. ACKNOWLEDGMENT FORM CONCERNING SUBDIVISION PLAT NOTE/DEED RESTRICTIONS** - A signed acknowledgement form is required. The applicant should carefully check records before signing the attached acknowledgement form. Plat notes are shown on the face of the subdivision plat. Plats are available at the City or the County Courthouse. Deed restrictions are recorded at the Courthouse if you do not already have a copy.

✓ **F. HISTORICAL DOCUMENTATION** – The applicant needs to submit one full copy of supporting historic documentation for city use (will NOT be returned). All information should be submitted loose or paper-clipped; no stapled, glued or bound documents please. An informational brochure providing additional information on historic research and potential sources of information is available from the City Historic Preservation Office at 974-2727, on the Historic Preservation Office web site or at the Austin History Center.

- ✓ (1) A chronological list of prior owners. This chronology should begin at a minimum with the transaction whereby the owner who is believed or known to have built the first building on the site first acquired some or all of the property. (Deed information available at the Travis County Clerk's Office, at 5501 Airport Boulevard). See attached form F.1.
- ✓ (2) A chronological list of occupants/residents/tenants, their occupations, and their dates of occupancy for all years of a building's existence (Usually available from the City Directories in the Austin History Center). See attached form F.2.
- ✓ (3) Biographical data on owners and occupants as available. Please copy all information available, including newspaper articles, family records, marriage certificates, etc. For cemeteries, a list of burial names and biographical data on associated personages required. (Contact the Austin History Center for biography files, obituary records, census data, marriage and death records, etc. Other sources include previous occupants/owners or their descendants, company/organization archives, etc.).

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- ✓ (4) Information on historically significant events which occurred at the location, if known (see 3. above for research information).
- ✓ (5) Color digital prints showing full exterior views, including all elevations, setting, outbuildings, and details of structural and landscape features. Photographs should be labelled on the back in pencil and should be submitted loose (un-affixed).
- ✓ (6) Information on architect, builder, contractor and any craftsmen who worked on the buildings and structures on the site when available. (See 3. above for possible sources).
- ✓ (7) Reproductions (high quality photocopies acceptable) of historical photographs when available (Sources include Austin History Center, previous owners and occupants or their descendants, company/organization archives, etc.).
- ✓ (8) A dimensioned site plan or survey showing the tract in question and the location/placement of all buildings/structures on the tract.
- ✓ (9) A brief historical narrative (no more than 40 7 pages) providing:
 - ✓ - A brief chronology and overview of the property's history and development, including dates for all new construction (houses, outbuildings, wells, etc.) and alterations. (Sources include mechanic's liens, Sanborn Fire Insurance Maps, Austin History Center records, family records, etc.);
 - ✓ - A summary of the primary uses and occupants of property over time, and any important persons associated with the site (include full names, birth, marriage and death dates);
 - ✓ - A justification as to which specific city historic landmark criteria the property meets and why.

A brochure providing additional information on how to conduct historic research and potential sources of information is available from the City Historic Preservation Office at 974-2727 on the Historic Preservation Office web site or at the Austin History Center.

✓ **Submittal Checklist**

- ✓ X
— A. Application Form.
- ✓ X
— B. Full size tax maps (1"=100') showing properties within 300' of zoning request
- ✓ X
— C. Tax certificate or letter from the County Tax office (Not a tax receipt)
- ✓ X
— D. Submittal Verification and Inspection Authorization Form.
- ✓ X
— E. Acknowledgment Form
- ✓ X
— F. Historical Documentation (including Attachment A, B, photographs, historical narrative, and copies of historical information)

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A. APPLICATION FOR HISTORIC ZONING

PROJECT INFORMATION:

| DEPARTMENTAL USE ONLY | |
|----------------------------------|--------------------------|
| APPLICATION DATE: _____ | FILE NUMBER(S) _____ |
| TENTATIVE HLC DATE: _____ | |
| TENTATIVE PC or ZAP DATE: _____ | |
| TENTATIVE CC DATE: _____ | CITY INITIATED: YES / NO |
| CASE MANAGER _____ | ROLLBACK: YES/NO |
| APPLICATION ACCEPTED BY: _____ | |

BASIC PROJECT DATA:

| | |
|---|-----------------------|
| 1. OWNER'S NAME: <u>Westgate Condominium Association</u> | |
| 2. PROJECT NAME: <u>Westgate Tower</u> | |
| 3. PROJECT STREET ADDRESS (or Range): <u>1122 Colorado St.</u> | |
| ZIP <u>78701</u> | COUNTY: <u>Travis</u> |
| IF PROJECT ADDRESS CANNOT BE DEFINED ABOVE: | |
| LOCATED _____ FRONTAGE FEET ALONG THE <u>N. S. E. W. (CIRCLE ONE)</u> SIDE OF | |
| _____ (ROAD NAME PROPERTY FRONTS ONTO), WHICH IS | |
| APPROXIMATELY _____ DISTANCE FROM ITS | |
| INTERSECTION WITH <u>12th St. & Colorado St.</u> CROSS STREET. | |

AREA TO BE REZONED:

| | | | | | |
|-------------------------------------|---------------------------|-------------------------------|-----------------|---------------------------|------------------------|
| 4. ACRES _____ | (OR) | SQ.FT. <u>152,330</u> | | | |
| 5. ZONING AND LAND USE INFORMATION: | | | | | |
| EXISTING ZONING | EXISTING USE | TRACT# (IF MORE THAN 1) | ACRES / SQ. FT. | PROPOSED USE | PROPOSED ZONING |
| <u>Office/Condos</u> | <u>Office/Residential</u> | _____ | <u>152,330</u> | <u>Office/Residential</u> | <u>Historic Zoning</u> |
| _____ | _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ | _____ |

RELATED CURRENT CASES:

| | | |
|--------------------------|--|--------------------|
| 6. ACTIVE ZONING CASE? | (YES <input type="radio"/> NO <input checked="" type="radio"/>) | FILE NUMBER: _____ |
| 7. RESTRICTIVE COVENANT? | (YES <input type="radio"/> NO <input checked="" type="radio"/>) | FILE NUMBER: _____ |
| 8. SUBDIVISION? | (YES <input type="radio"/> NO <input checked="" type="radio"/>) | FILE NUMBER: _____ |
| 9. SITE PLAN? | (YES <input type="radio"/> NO <input checked="" type="radio"/>) | FILE NUMBER: _____ |

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PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):

10a. SUBDIVISION REFERENCE: Name: Original City
Block(s) .5 of lots Lot(s) 1, 2, & 3 Outlot(s) _____
Plat Book: _____ Page _____
Number: Original City Block 135
10b. METES AND BOUNDS (Attach two copies of certified field notes if subdivision reference is not available or zoning includes partial lots)

DEED REFERENCE CONVEYING PROPERTY TO PRESENT OWNER AND TAX PARCEL I.D.:

11. VOLUME: Vol. 2638 PAGE: 508 TAX PARCEL I.D. NO. 0208011906-0000 through -0126

OTHER PROVISIONS:

12. IS PROPERTY IN A ZONING COMBINING DISTRICT / OVERLAY ZONE? ☒ YES / NO
TYPE OF COMBINING DIST/OVERLAY ZONE (NCCD, NP, etc) Public Improvement District
13. LOCATED IN A LOCAL OR NATIONAL REGISTER HISTORIC DISTRICT? YES ☒ NO
14. IS A TIA REQUIRED? YES ☒ NO (NOT REQUIRED IF BASE ZONING IS NOT CHANGING)
TRIPS PER DAY: _____
TRAFFIC SERIAL ZONE(S): _____

OWNERSHIP TYPE:

15. ☐ SOLE ☒ COMMUNITY PROPERTY ☐ PARTNERSHIP ☐ CORPORATION ☐ TRUST

If ownership is other than sole or community property, list individuals/partners/principals below or attach separate sheet.

OWNER INFORMATION:

16. OWNER CONTACT INFORMATION
SIGNATURE: _____ NAME: Agent: Brian Evans
FIRM NAME: Westgate Condominium Association TELEPHONE NUMBER: 512-477-9751
STREET ADDRESS: 1122 Colorado St
CITY: Austin STATE: TX ZIP CODE: 78701
EMAIL ADDRESS: _____

AGENT INFORMATION (IF APPLICABLE):

17. AGENT CONTACT INFORMATION
SIGNATURE: Brian Evans See attachment NAME: Brian Evans
FIRM NAME: Westgate Condominium Association TELEPHONE NUMBER: 512-477-9751
STREET ADDRESS: 1122 Colorado St., Front Desk
CITY: Austin STATE: TX ZIP CODE: 78701
CONTACT PERSON: Brian Evans TELEPHONE NUMBER: 512-477-9751
EMAIL ADDRESS: _____

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**D. SUBMITTAL VERIFICATION
AND INSPECTION AUTHORIZATION**

SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the proper review of this application.

**PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND
INDICATE FIRM REPRESENTED, IF APPLICABLE.**

Brian Evans

5/19/2022

Signature

Date

Brian Evans

Name (Typed or Printed)

Westgate Condominium Association

Firm (If applicable)

INSPECTION AUTHORIZATION

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

**PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND
INDICATE FIRM REPRESENTED, IF APPLICABLE.**

Brian Evans

5/19/2022

Signature

Date

Brian Evans

Name (Typed or Printed)

Westgate Condominium Association

Firm (If applicable)

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E. ACKNOWLEDGMENT FORM

concerning
Subdivision Plat Notes, Deed Restrictions,
Restrictive Covenants
and / or
Zoning Conditional Overlays

I, Brian Evans have checked for subdivision plat notes, deed restrictions,

(Print name of applicant)

restrictive covenants and/or zoning conditional overlays prohibiting certain uses and/or requiring certain development restrictions i.e. height, access, screening etc. on this property, located at

1122 Colorado St., Austin, TX 78701

(Address or Legal Description)

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of a subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlays.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, restrictive covenants and/or zoning conditional overlay information which may apply to this property.

Brian Evans

(Applicant's signature)

5/19/2022

(Date)

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F. 1: Historical Documentation - Deed Chronology

Deed Research for (fill in address) 1122 Colorado St., Austin, TX 78701

List Deeds chronologically, beginning with earliest transaction first and proceeding through present ownership. The first transaction listed should date at least back to when the original builder of any historic structures on the site first acquired the property (i.e., should pre-date the construction of any buildings/structures on the site). Please use the format delineated below.

For each transaction please include: name of Grantor/Grantee, date of transaction, legal description involved, price, and volume/page number of deed records. If there is a mechanic's lien please copy the entire document.

Example:

Transaction

Vol./Page

John Doe to Mary Smith,
Lots 1-3, Block B, Driving Park Addition
March 13, 1882
\$2500

Vol. 52, pp. 22-60

Mary Smith, estate, to Ingrid Jones
Lots 1-2, Block B, Driving Park Addition
January 12, 1903

Vol. 409, pp. 552-554

(Continue through the present)

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F. 2: Historical Documentation - Occupancy History

Occupancy Research for (fill in address) 1122 Colorado St., Austin, TX 78701

Using City Directories available at the Austin History Center or other information available, please provide a chronology of all occupants of the property from its construction to the present. For commercial property, please provide residential information on business owner as well.

| Year | Occupant Name and Reference | Source |
|-------------|--|------------------|
| 1872-1873 | A.S. Roberts, Dry Goods and general groceries provisions, City Directories e s Congress b Hickory and Ash Streets A.S. Roberts (Ada), Roberts Dry Goods, r. 610 W. 12 th Street, 2. | |
| 1877-78 | Jones, David W., Wholesale Furniture dealer and carpets, 806 Congress Avenue Jones, David W. (Martha), Furniture Dealer, r. 312 W. 5 th Street, 4. | City Directories |

(Continue through the present)