

## Legislation Details (With Text)

|                       |  |                      |                    |
|-----------------------|--|----------------------|--------------------|
| <b>File #:</b>        | 18-618   | <b>Name:</b>         |                    |
| <b>Type:</b>          | Ordinance  | <b>Status:</b>       | Consent Item Ready |
| <b>File created:</b>  | 10/9/2018  | <b>In control:</b>   | City Council       |
| <b>On agenda:</b>     | 10/22/2018   | <b>Final action:</b> |                    |
| <b>Title:</b>         | Approval of the second and final reading of an ordinance designating 0.124 acres out of City Block 4062, Lot 3, addressed as 546 South Academy Avenue, as a Historic Landmark to be known as the Bartels-Kelly House.  |                      |                    |
| <b>Sponsors:</b>      |  |                      |                    |
| <b>Indexes:</b>       |  |                      |                    |
| <b>Code sections:</b> |  |                      |                    |
| <b>Attachments:</b>   | 1. Maps, 2. Existing Centers, 3. Future Land Use Plan, 4. Notification and Responses, 5. Photographs of subject property, 6. Article III, Section 66-54, 7. Article III, Section 66-56, 8. Excerpt from Historic Landmark Commission Minutes, 9. Excerpt from Planning Commission Meeting Minutes, 10. Ordinance |                      |                    |

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Presenter/Contact

*Amy McWhorter, Historic Preservation Officer/Downtown Development Coordinator  
amcwhorter@nbtexas.org*

**SUBJECT:**

Approval of the second and final reading of an ordinance designating 0.124 acres out of City Block 4062, Lot 3, addressed as 546 South Academy Avenue, as a Historic Landmark to be known as the Bartels-Kelly House.

**BACKGROUND / RATIONALE:**

**Case No.:** HLC-18-012

**Council District:** 6

**Owner/Applicant:** Reece Kelly  
546 S. Academy Avenue  
New Braunfels, TX 78130

**Staff Contact:** Amy McWhorter, Historic Preservation Officer and Downtown Development Coordinator  
(830) 221-4057  
amcwhorter@nbtexas.org

**City Council held a public hearing on October 8, 2018 and voted unanimously to approve the requested rezoning ordinance for historic designation overlay (7-0-0).**

The subject property is part of what was once acre lot # 47 which later became part of the Jahn Addition to the City. Wilhelm Bartels of Guadalupe County purchased the subject property and adjacent lot from the Jahns in 1893 for \$200.00. Given the relatively low value of the property, even accounting for inflation, it is unlikely that the property was improved at the time of the 1893 sale.

Following the deaths of Wilhelm Bartels and his wife Ida, his heirs sold the subject property to Mrs. Meta Meyer of Guadalupe County for \$1,226.66. The rise in value between 1893 and 1924 suggests that the property was improved between these years. Meyer retained the property until her death in 1948 when the administrators of her estate sold it to Lydia M. Stempel for \$4,250.00. Stempel retained the property until 1984.

It appears that this property served primarily as a rental property throughout most of its existence. According to U.S. Census records, neither the Bartels, their heirs, nor Meta Meyer resided in New Braunfels. Census records for the address depict it being occupied by renters in 1930 and 1940.

The subject structure is a modified I-plan dwelling with diamond-pattern decorative shingles in the front-facing gable and remnant decorative woodwork. The original primary entry was located in the ell, which formerly housed a partial width porch. Sanborn records indicate that the porch was enclosed post 1949. Many of the dwelling's original features are still intact including the decorative shingles, wooden siding, double-hung wooden windows and entry doors. Although the dwelling has been vacant for several years, it still typifies the Folk Victorian architecture common to the City and the Sophienburg Hill area in the late 1800s due to the advent of stream powered milling and increased railroad transport for building materials.

**General Information:**

Size: 0.124 acres

*Surrounding Zoning and Land Use:*

|         |                         |  |
|---------|-------------------------|--|
| North - | Across, Academy Avenue, | SND-1/ Single-family residences                  |
| South - | Across                  | Braddock Avenue, SND-1/ Single-family residences |
| East -  |                         | SND-1/ Single-family residences                  |
| West -  |                         | SND-1/ Single-family residences                  |

*Comprehensive Plan*

- New Braunfels Sub Area
- Near existing Education and Civic Centers

*Floodplain:*

No portion of the property is within the 1% annual chance flood zone (100-year floodplain).

*Regional Transportation Plan:*

The property is in compliance with the Regional Transportation Plan. South Academy Avenue is a local residential street with 60 feet of right-of-way width.

*Improvement(s):*

Circa 1893 single-family dwelling

*Determination Factors:*

In making a decision on Historic Landmark Designation, the following criteria are to be considered. A Historic Landmark may be designated if it meets at least one of the following criteria:

- (1) Possesses significance in history, architecture, archeology, or culture. *This property possesses significance as it is indicative of development patterns of late eighteenth century New Braunfels and advances in building material manufacturing and transport of the time.*
- (2) Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history. *N/A*
- (3) Is associated with the lives of persons significant in our past. *N/A*
- (4) Embodies the distinctive characteristics of a type, period, or method of construction. *This property is a good local example of Folk Victorian architecture.*
- (5) Represents the work of a master designer, builder, or craftsman. *No such associations are known.*
- (6) Represents an established and familiar visual feature of the neighborhood or city. *N/A*

**ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:**

|  |  |
|--|--|
| <b>City Plan/Council Priority:</b><br>Envision New Braunfels<br>Comprehensive Plan <i>Pros and<br/>Cons Based on Policies Plan</i> | <b>Pros: Action 2.10:</b> <i>Identify and preserve non-protected architectural and cultural resources.</i> The designation of this property will enhance the heritage image of the City, incentivize the preservation and adaptive reuse of the property, and encourage preservation throughout the community. <b>Cons:</b> None |
|--|--|

**FISCAL IMPACT:**

N/A

**HISTORIC LANDMARK COMMISSION RECOMMENDATION:**

The Historic Landmark Commission held a public hearing on June 12, 2018 and voted to recommend approval of the designation unanimously (8-0-0).

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission held a public hearing on August 7, 2018 and unanimously recommended approval of the designation (7-0-0, Commissioners Nolte and Edwards absent).

**STAFF RECOMMENDATION:**

The proposed historic landmark designation is consistent with the Comprehensive Plan and meets the codified criteria for designation. However, after HLC and Planning Commission recommendations, it came to the City’s attention that the property owner had proceeded with work on the house without the proper permits. Stop-work orders were, therefore, issued. As of October 12, the applicant has had conversations with City staff, however has not yet submitted applications and plans for proper permitting.

Therefore, staff recommends approval **only after** the applicant:

- Obtains permits for the work being done;
- Completes the work in line with the permitted plans; and
- Receives a certificate of occupancy.

If approved, the Historic Landmark will be known as the Bartels-Kelly House.

***Notification:***

Public hearing notices were sent to owners of 23 properties within 200 feet of the request. The Planning Division has received four responses in favor (numbers 4, 5, 6, and 8) and none in objection.

***Attachments:***

1. Maps
2. Existing Centers
3. Future Land Use Plan
4. Notification & Responses
5. Photographs of Subject Property
6. Article III, Section 66-54
7. Article III, Section 66-56
8. Excerpt from the June 12, 2018 Historic Landmark Commission Minutes
9. Excerpt from the August 7, 2018 Planning Commission Minutes
10. Ordinance