

## Legislation Details (With Text)

<b>File #:</b>	19-345	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Consent Item Ready
<b>File created:</b>	5/15/2019	<b>In control:</b>	City Council
<b>On agenda:</b>	5/28/2019	<b>Final action:</b>	
<b>Title:</b>	Approval of the second and final reading of an ordinance granting rehabilitation tax relief for a five-year period to the property addressed as 575 S. Hill Avenue, a contributing resource in the Sophienburg Hill Historic District.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Application, 2. Location Map, 3. Photographs, 4. Ordinance 2009-52, 5. Chapter 66, Section 57, 6. Excerpt from the April 9, 2019 Historic Landmark Commission Draft Minutes, 7. Ordinance		
Date	Ver.	Action By	Action
			Result

Presenter

*Amy McWhorter, Historic Preservation Officer*  
*amcwhorter@nbtexas.org*

**SUBJECT:**

Approval of the second and final reading of an ordinance granting rehabilitation tax relief for a five-year period to the property addressed as 575 S. Hill Avenue, a contributing resource in the Sophienburg Hill Historic District.

**BACKGROUND / RATIONALE:**

**Case No.:** HLC-19-010

**Council District:** 5

**Owner/Applicant:** Daniel D. Santoni  
575 S. Hill Avenue  
New Braunfels, TX 78130  
(210) 560-4148  
dsantonijr@gmail.com

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

**City Council held a public hearing on May 13, 2019 and approved the first reading of this requested ordinance.**

The property addressed at 575 South Hill Avenue includes a circa 1900 single-family dwelling that

was likely constructed by the International and Great Northern Railroad. Although the dwelling is of vernacular design, it is a good representative example of a railroad section house and possesses historic significance for its association with Claudia Ayers, also known as Mother Mary Angelique, who co-founded Our Lady of the Lake University in San Antonio.

Deed records indicate that Eli Snow Ayers, a bridge engineer for the International and Great Northern Railroad purchased the subject property in 1899 and lived there until 1903. Although the family was not Catholic, his daughter Claudia had been educated in Catholic schools and wished to become a Catholic nun. Her father had objected to her wishes until the family moved to New Braunfels where nuns from the local parochial school nursed Ayers' son through a fatal course of polio. Claudia Ayers took her vows in 1904 with the Sisters of Divine Providence in San Antonio. In 1911, she and Mother Philothea Thiry established Our Lady of the Lake College, now Our Lady of the Lake University. She served as academic dean of the university until 1960.

### **Determination Factors:**

In making a determination on rehabilitation tax relief, the following factors are to be considered:

- Whether the subject property has been designated as a local historic landmark or is located in a local historic district (*City Council approved the designation of the subject property as part of the Sophienburg Hill Historic district on August 10, 2009*).
- Whether the improvement(s), renovation(s) or restoration(s) to the structure total at least ten percent of the property value reflected on the appraisal district tax rolls. *The applicant has provided receipts for qualified expenditures totaling \$22,771, which is in excess of 10% of the current appraised value of the property.*

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

<b>City Plan/Council Priority:</b>	<b>Action 2.25</b> Increase resources for historic preservation.
Envision New Braunfels Comprehensive Plan	<b>Action 8.8</b> Collaborate with property owners to preserve historic structures.

### **FISCAL IMPACT:**

Approval would "freeze" the taxable value of the property to the current value for the calculation of ad valorem taxes. Therefore, exact value of the fiscal impact is contingent upon future, undetermined appraised values.

### **COMMITTEE RECOMMENDATION:**

The Historic Landmark Commission held a public hearing on April 9, 2019 and recommended approval of the request (5-0-0, Commissioners Warnecke, Sonier and Totman were absent and Commissioner Santoni recused).

### **STAFF RECOMMENDATION:**

Staff recommends approval as the subject property meets all requirements for relief as specified in the City's Code of Ordinances, Article III, Section 66-57.1. This tax relief tool continues to provide an incentive for property owners to rehabilitate, designate and protect historic structures which maintains the heritage of our community.

### **Attachments:**

1. Application
2. Location Map
3. Photographs

4. Ordinance 2009-52
5. Section 66-57-1
6. Excerpt from the April 9, 2019 Historic Landmark Commission minutes
7. Ordinance