

Legislation Details (With Text)

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On agenda:	11/9/2021	Final action:	
Title:	HST21-380 Consideration of a Certificate of Alteration for the construction of a new single-family dwelling at 456 Magazine Ave. within the Sophienburg Hill Historic District.		
Sponsors:			
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Code sections:			
Attachments:	1. Location Map, 2. Application, 3. Submittal Documents, 4. Supplemental Documents, 5. HST21-001 Case File, 6. Sec. 66-58 Criteria for Approval of Alt Cert		

Date	Ver.	Action By	Action	Result
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PRESENTER:

Caleb Chance Gasparek
Historic Preservation Officer

SUBJECT:

HST21-380 Consideration of a Certificate of Alteration for the construction of a new single-family dwelling at 456 Magazine Ave. within the Sophienburg Hill Historic District.

DEPARTMENT: Planning & Development Services

COUNCIL DISTRICTS IMPACTED: District 6

BACKGROUND INFORMATION:

The applicant is requesting a Certificate of Alteration to construct a new single-family dwelling at 456 Magazine Ave. within the Sophienburg Hill Historic District.

In August of 2020, a stop work order was placed on the property after the owner demolished an accessory structure on site without permitting. The applicant later submitted a demolition permit for the main structure to the city for review. A demolition permit for the 1948 main structure on site had been reviewed and denied by the HLC in their regular January meeting. The applicant chose to resubmit, rather than to appeal the decision, and the case was again denied by the HLC in February. The applicant then chose to submit an application for Economic Hardship following the denial by the HLC in February. An application for Economic Hardship (Case File HST21-263) was approved by the HLC at their regular August meeting, thereby approving the demolition permit of the residence (1948 structure). At each of the meetings the HLC had expressed concerns that the applicants submitted new build was not compatible with the historic character of the Sophienburg Hill Historic District. Staff recommended that the applicant and their architect meet with the Design Review Subcommittee as an option to preliminarily review the drawings and provide guidance.

The applicant, their architect, and 2 members of the Design Review Subcommittee met on November 1st to review the applicants' proposed drawings. The Subcommittee expressed concern that the designs may not meet Criteria 9 of Chapter 66-58 "Criteria for Approval of an Alteration Certificate."

The Sophienburg Hill Historic District consists of an eclectic mix of styles - ranging from Folk Victorian, Craftsman, Queen Anne, Tudor, and Minimal Traditional. The subject block in particular mirrors this eclectic mix with some mid-century (minimal traditional), Craftsman, and Folk Victorian homes. Modern residential styles similar to what the applicant has proposed are not found within the district but are found in a few places in New Braunfels as a whole. Staff and the Subcommittee had expressed this to the applicant. The applicant chose to move forward with their initial designs, though by the end of the meeting the Subcommittee was more favorable to what the applicant proposed.

HISTORIC CONTEXT:

Refer to case HST21-001 (attached) from the February packet for a historic narrative of the site.

ISSUE:

A Certificate of Alteration is required for any alteration to a landmarked property or a property within a local historic district, including new construction.

FISCAL IMPACT:

Approval of a Certificate of Alteration waives all permit fees associated with the building permit.

RECOMMENDATION:

Staff recognizes criteria 9 of Chapter 66-58 “Criteria for Approval of an Alteration Certificate” provides limited alternatives to property owners in this unique circumstance. The designs may be in conflict with Standard 9 of the Secretary of the Interior’s Standards for Rehabilitation.

Both standards are very similar. Each takes into account 3 different, yet important review criteria: differentiation from the new and old, characteristics of the property, and the compatibility and cohesiveness of the new construction in terms of materials, features, size, scale, and architectural details as it relates to the neighborhood.

Chapter 66 includes two separate criteria or standards that address additions or new construction, Criteria 3 and 9. Criteria 3 reads:

3) *“All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.”*

Criteria 9 of reads:

9) *Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.*

Chapter 66 is clear that “contemporary designs” shall not be discouraged as long as those designs do not conflict with the character of the neighborhood, in this case the Sophienburg Hill Historic District. An argument could be made that the size, siding, and scale of the proposed construction is consistent with the neighborhood; 1-story, single-family homes constructed of brick are found throughout the neighborhood and reflective of the historic period in which the Sophienburg developed. A separate argument could be made that the proposed design seeks to fit into the immediate area by honoring the same time period as the home it replaced (era 1948), with a reference to a mid-century style. Additionally, this style could arguably contribute to the eclectic nature of the district.

However, an argument could be made that the character and style of the building is inconsistent with what is found in the Historic District. New builds should be compatible with the surrounding neighborhood, in order to create a sense of cohesion. The relationship between the proposed build and its neighboring homes, both historic and new, creates a contrast and may arguably detract from this cohesion. Architectural features such as the flat roof, white brick, full length casement windows, horizontal casement windows, glass doors, and “ribbon” style windows are found on more modern styles such as the mid-century modern and international schools of architecture which are not found within the District. While differentiation from classic styles is encouraged, the differentiation shouldn’t be so abrupt that it breaks the cohesive historic feeling of the neighborhood.

Chapter 66 also references guidance by the *Secretary of the Interior’s Standards for the rehabilitation of historic buildings*, and provides the following guidance in its administration:

“The standards are to be applied to specific rehabilitation projects in a reasonable manner taking into consideration economic and technical feasibility.”

Standard 9 of the Secretary of the Interior’s Standards for Rehabilitation reads:

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.

This standard addresses the need to separate the old from the new, but also provides the basis for Chapter 66 in its reference to protection of the historic integrity of the property and its environment, wording similar to Chapter 66 Standard 9 regarding the need to have the new construction reflect the size, scale, style, and character of homes within the neighborhood/district.

ATTACHMENTS:

- A. Location Map
- B. Application
- C. Submittal Documents
- D. Supplemental Documents
- E. HST21-001 Case File
- F. Sec. 66-58 Criteria for Approval of an Alteration Certificate