

## ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-2009-0053

HLC DATE:

October 26, 2009

PC DATE:

November 10, 2009

APPLICANTS: Chris and Anne Newton, owners

HISTORIC NAME: Sol and Anne Ginsburg House

WATERSHED: Shoal Creek

ADDRESS OF PROPOSED ZONING CHANGE: 1404 Preston Avenue

ZONING FROM: SF-3 to SF-3-H

SUMMARY STAFF RECOMMENDATION: Staff recommends the proposed zoning change from family residence (SF-3) district to family residence – Historic Landmark (SF-3-H) combining district zoning.

HISTORIC LANDMARK COMMISSION ACTION: Recommended the proposed zoning change from family residence (SF-3) district to family residence – Historic Landmark (SF-3-H) combining district zoning. Vote: 5-0 (Limbacher ill; Hansen absent).

PLANNING COMMISSION ACTION: Recommended the proposed zoning change from family residence (SF-3) district to family residence – Historic Landmark (SF-3-H) combining district zoning. Vote: 8-0.

DEPARTMENT COMMENTS: The house is beyond the bounds of the Comprehensive Cultural Resources Survey (1984).

CITY COUNCIL DATE: December 10, 2009

ACTION:

ORDINANCE READINGS: 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup>

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky

PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION: Pemberton Heights Neighborhood Association

BASIS FOR RECOMMENDATION:

The house is associated with Sol and Anne Ginsburg, prominent clothing store owners in Austin for many years, and leaders in the city's Jewish community.

**Architecture:**

Two-story L-plan hipped-roof brick house with a brick chimney piercing the main hip. The house has a recessed entry with sidelights at the front door; surrounding the recessed entry in a Classical Revival-styled flat pediment with dentils and fluted Ionic pilasters. The right side of the façade consists of a partial-width flat-roofed porch on plain square wood posts with an open balcony above. Fenestration consists of double and triple 6:6 windows with a triple window with fixed transoms and a 4:4, 6:6 and 4:4 configuration. There is a one-story flat-roofed rectangular-plan addition to the right side of the house with 9:9 windows and an open balcony above with a metal railing. This addition was constructed in 1970.

**Historical Associations:**

John W. Wattinger, a son of Jacob Wattinger, a native of Switzerland, who came to Austin in 1886 and became one of the city's most prominent stonemasons, purchased this lot in 1940. John W. Wattinger was a plumbing contractor, likely working for the family construction business, which was carried on by Jacob Wattinger, Jr. after their father's death. Wattinger lived in the house until 1943, when he and his wife divorced; he sold it to William and Ruby Auttenberry, who operated the P-K Café. It does not appear that the Auttenberrys ever lived here – they sold the property later in 1943 to Sol and Anne Ginsburg.

Sol Ginsburg was a native of Russia who came to Austin in 1923 with his family. They opened a general merchandise store on E. 6<sup>th</sup> Street, and the 1930 U.S. Census shows that Sol's father Morris, had a clothing store. The family was living at 606 West Avenue at that time. Sol was listed as a salesman in a clothing store in the 1930 census report. He graduated from Austin High School in 1928, but had to drop out of the University of Texas to help with the family business. After his father's death, the family moved to Washington, D.C., but after three months there, Sol returned to Austin, and opened the Lucky Strike Dress Shop on E. 6<sup>th</sup> Street. He opened the Austin Man's Shop at 107 E. 6<sup>th</sup> Street in 1947, and had several other businesses in the 1950s, including a partnership with Jerome Silverstein in the Texas Outlet, a dry goods store at 300 E. 6<sup>th</sup> Street, and bringing Max Silberstein in as a partner in the Austin Man's Store. In the late 1950s, Sol also was the partner of Herbert Barnett in the Young Man's Shop at 521 Congress Avenue. In 1961, he opened Michael's Men's Wear at 2424 Guadalupe Street, which remained in business until his retirement in 1984. He was an early member of Congregation Achudis Achim in Austin, served as president of the congregation, and was on the board of directors of the synagogue in 1963, when the new temple was consecrated. He was also president of the Austin Jewish Federation. Sol Ginsburg died in Austin in 1991. His wife, Anne Ginsburg, was also very active in Austin's Jewish community. Born in New York but raised in St. Louis, Mrs. Ginsburg worked alongside her husband in

the family clothing stores and was a president of the Achudis Achim sisterhood.

The Ginsburgs sold the house in 1970 to Guy Morgan, a building contractor, who lived here until 1976. He sold the property to Robert and Joan Freeman; Joan Freeman received the house in 1982 when she and her husband divorced. She sold the house in 1986 to William and Maureen Britton, who sold it to the current owners, Chris and Anne Newton, in 2007.

**PARCEL NO.:** 01160002300000

**LEGAL DESCRIPTION:** The East 40 feet of Lot 12 and the West 30 feet of Lot 13, Block 17, Pemberton Heights Section 8.

**ANNUAL TAX ABATEMENT:** \$15,058 (owner-occupied); city portion: \$2,530 (capped).

**APPRAISED VALUE:** \$1,142,472

**PRESENT USE:** Single-family residence.

**CONDITION:** Excellent

**PRESENT OWNERS:**

Christopher G. and Anne H. Newton  
1404 Preston Avenue  
Austin, Texas 78703

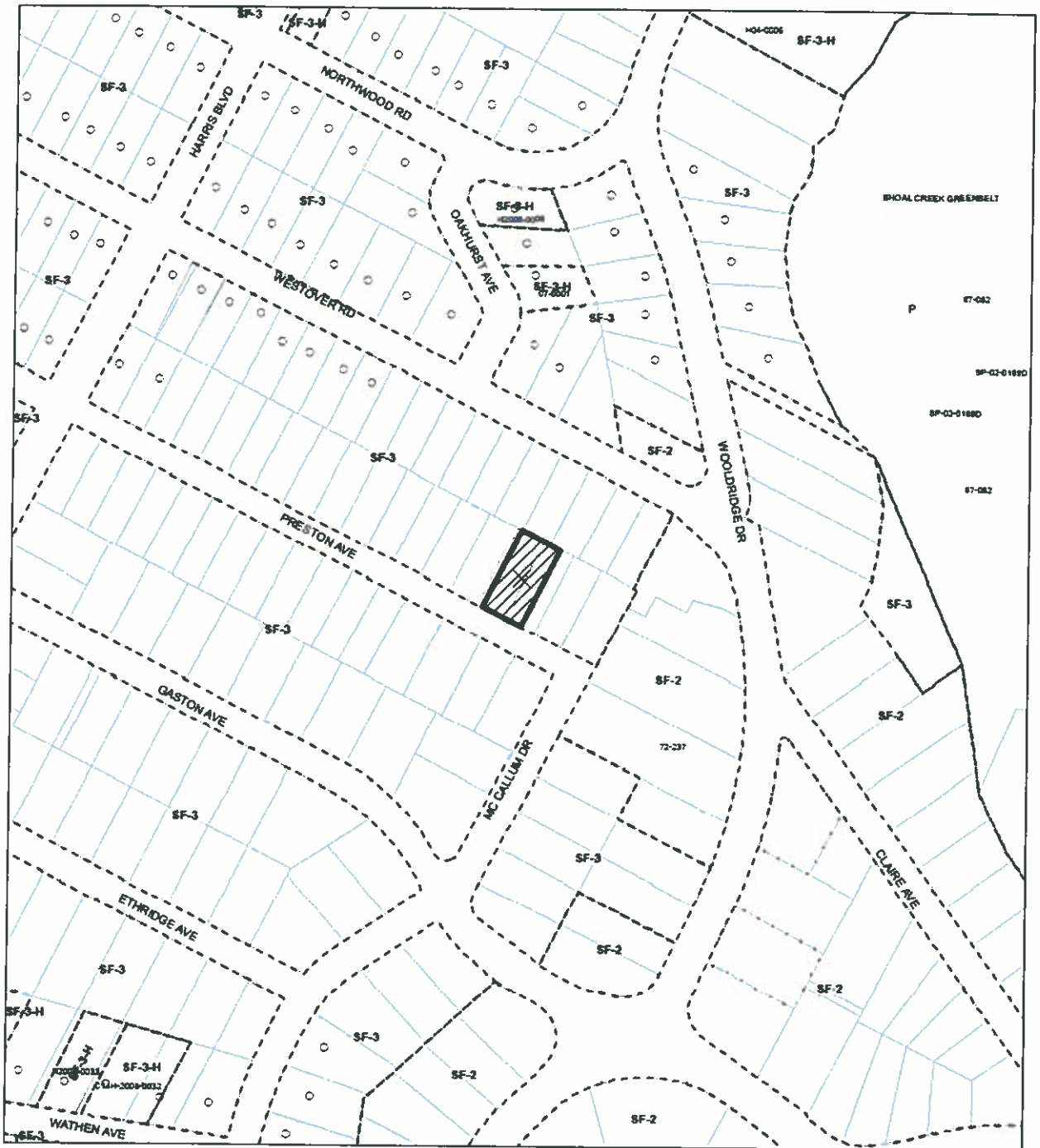
**DATE BUILT:** ca. 1941

**ALTERATIONS/ADDITIONS:** The masonry addition on the right side of the house was added by Guy Morgan in 1970.

**ORIGINAL OWNER(S):** John W. Wattinger (1940)

**OTHER HISTORICAL DESIGNATIONS:** None.

# LOCATION MAP



1" = 200'



**SUBJECT TRACT**



**ZONING BOUNDARY**



**PENDING CASE**

OPERATOR: S. MEEKS

## HISTORIC ZONING

ZONING CASE#: C14H-2009-0053  
 ADDRESS: 1404 PRESTON AVE  
 SUBJECT AREA: 0.000 ACRES  
 GRID: H24  
 MANAGER: S. SADOWSKY



This map has been produced by G.I.S. Services for the sole purpose of geographic reference.  
 No warranty is made by the City of Austin regarding specific accuracy or completeness.

1404 Preston Avenue  
ca. 1941



OCCUPANCY HISTORY  
1404 Preston Avenue

City Directory Research, Austin History Center  
By City Historic Preservation Office  
October, 2009

2000	William R. and Maureen Britton, owners No occupations are listed in the 2000 directory.
1992	William Britton (not listed as owner) No occupation listed NOTE: The directory indicates that William Britton was a new resident at this address.
1987	Vacant
1981	Joan Freeman, owner Office secretary

- 1976 Guy E. and Louise Morgan, owners  
Proprietor, Guy Morgan Construction Company, apartment house construction, 4222 Packsaddle Pass.
- 1972 Guy E. and Essie Morgan (not listed as owners)  
General building contractor, 4200 N. Lamar Boulevard.
- 1969 Sol and Anne Ginsburg, owners  
Proprietor, Michael's Men's Wear, 2424 Guadalupe Street.
- 1965 Sol and Anne Ginsburg, owners  
Proprietor, Michael's Men's Wear, 2424 Guadalupe Street.  
Also listed are David Ginsburg, employed by E.F. Hutton, and Judy Ginsburg, a student.
- 1961 Sol and Anne Ginsburg, owners  
Proprietor (with Max Silberstein), Austin Man's shop, 107 E. 6<sup>th</sup> Street.  
Also listed is David M. Ginsburg, a student.
- 1957 Sol and Anne Ginsburg, owners  
Proprietor (with Max Silberstein), Austin Man's Shop, 107 E. 6<sup>th</sup> Street;  
and proprietor (with Herbert F. Barnett), Young Man's Shop, 521 Congress Avenue; offices, 1308 Capital National Bank Building, 114 W. 7<sup>th</sup> Street.
- 1953 Sol and Anne Ginsburg, owners  
Proprietor (with Max Silberstein), Austin Man's Shop, 107 E. 6<sup>th</sup> Street,  
and proprietor (with Jerome Silverstein), Texas outlet, dry goods, 300 E. 6<sup>th</sup> Street.
- 1949 Sol and Anne Ginsburg, owners  
Proprietor, Austin Man's Shop, 107 E. 6<sup>th</sup> Street.
- 1947 Sol and Anne Ginsburg, owners  
Buyer, office, 1308 Capital National Bank Building, 114 W. 7<sup>th</sup> Street.
- 1944-45 Sol and Anne Ginsburg, owners  
Buyer, office, 1308 Capital National Bank Building, 114 W. 7<sup>th</sup> Street.
- 1942 John W. and Verinetta Wattinger (not listed as owners)  
Plumber
- 1941 Vacant  
NOTE: Sol and Anne Ginsburg are listed as living at 1711 Wethersfield Road; he was the manager of the White House, a dry goods store at 309 E. 6<sup>th</sup> Street.
- 1940 The address is not listed in the directory.  
NOTE: John W. Wattinger is listed as a plumber living at 917 E. 37<sup>th</sup> Street; the directory does not list any wife.

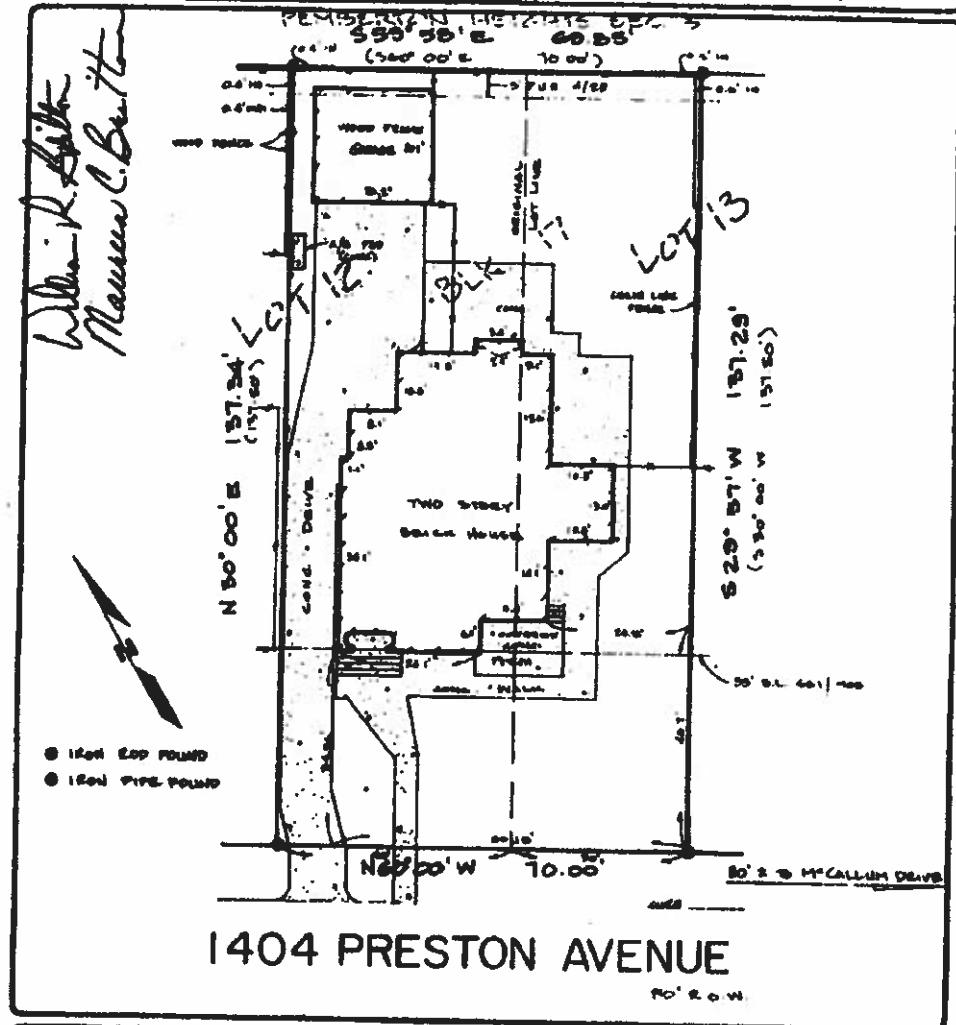
**NOTES:**

John W. Wattinger appears in the 1920 U.S. Census as a house plumber living in Brewster County, Texas with his wife, Myra. He was then 27 years old and had been born in Texas. They rented the house they were living in. His 1917 World War I draft registration card indicates that he was born in Austin, was single, and was a master plumber for the Texas Plumbing Company. He and Myra (Hord) were living in San Antonio in 1929, when their son, Fred Sidney Wattinger, was born.

The 1930 U.S. Census report shows Sol Ginsburg living in the home of his parents, Morris and Fannie Ginsburg, at 606 West Avenue, a house they were renting. Morris Ginsburg was then 48; Fannie Ginsburg was then 44. Sol's older brother Selig was 23 and Sol was 19. Sol also had two younger sisters, probably twins – Helen and Selma, both 18. Morris Ginsburg is listed as the owner of a clothing store; Sol Ginsburg is listed as a salesman in a clothing store. No other family members had occupations listed.

Survey: **WILLIAM R. ATTON and wife, MAUREN C. BRITTON**

**LEGAL DESCRIPTION:** East 40' of Lot 12, West 30' of Lot 13, Block "17", PEBBLETON HEIGHTS, SECTION 8 as recorded in Volume 4, Page 29 of the Travis County, Texas Plat Records, also locally known as 1404 Preston Avenue, Austin, Texas.



**R&L**  
SURVEYING  
CO.

3025 One Center  
Suite C-4  
Austin, TX 78748  
(512) 238-0328

**THE STATE OF TEXAS**  
**COUNTY OF TRAVIS**

**TO THE LIEGEMEN AND/OR OWNERS OF THE**  
**PREMISES SURVEYED**

The undersigned does hereby certify that this survey was this day made on the ground of the property legally described herein and is correct, and that there are no discrepancies, omissions, changes to area, boundary line conflicts, encroachments, overlapping of improvements, visible utility lines or roads in place except as shown herein, and that said property has access to and from a dedicated roadway, except as shown herein.

The above legally described property is in Zone C and not                      within a special flood hazard area as designated by the Federal Emergency Management Agency, F.I.R.M. NO. 48062400738 dated September 2, 1981.

Surveyed and Platted by                      Austin, Travis County, Texas.

DATE August 7, 1987

SCALE 1" = 20'

NO. 080687

**3305**  
**MAUREN C. BRITTON**  
**SURVEYOR**

DATE BY

FIELD WORK	8-1-81	2c
DRAFTING	8-7-81	2c
FINAL CHECK	8/7/81	2c
CORRECTIONS		

Site plan



Howard Wilson 1404 Preston  
159 - 1715 12a W 1/2 of 13

Pemberton Hts

Brick Venr. Res & Frame Garage

19319 - 4-12-40

10

Building permit to Howard Wilson for the construction of the house (1940)

OWNER Guy Morgan ADDRESS 1404 Preston Avenue  
PLAT 159 LOT E-40' of 12 & W 1/2 of 13 BLK 17  
SUBDIVISION Pemberton Hts.  
OCCUPANCY patio  
BLD PERMIT # 118859 DATE 9-9-70 OWNERS ESTIMATE \$300.00  
CONTRACTOR owner NO. OF FIXTURES none  
WATER TAP REC # -- SEWER TAP REC # --  
one story mas. addn to res & remodel  
220 square feet

Building permit to Guy Morgan for the construction of the addition (1970)



## JOHN W. WATTINGER

John William Wattinger, 71, of 2005 Mountain View died in a local hospital Friday evening. Lifetime resident of Austin, he is survived by one son, Major Sidney Wattinger of Peru, Ind.; sister, Miss Lena Wattinger of Austin; and four grandchildren. Arrangements are pending at Hytlin-Manor Funeral Home.

Obituary of John W. Wattinger  
Austin American, April 4, 1964

## Long-time clothing store on Drag shuts down

*Michael's Mens Wear going out of business*

By KATHY JONES  
Daily Texas Staff

After almost a quarter century in business, Michael's Mens Wear, 2426 Guadalupe St., is closing its doors.

"August 1961 is when I opened this place," said Sol Ginsburg, owner of the store. "When I opened the store here there were very few stores here. Most of those stores have already gone out of business."

Ginsburg, a Russian immigrant who came to the United States in 1923, said: "It took me two years to come to the United States, where now it takes one day."

"I started to school here Sept. 1, 1923 without knowing one word of English. I picked it up from other kids."

Ginsburg attended Austin High School on Rio Grande Street, now the site of Austin Community College.

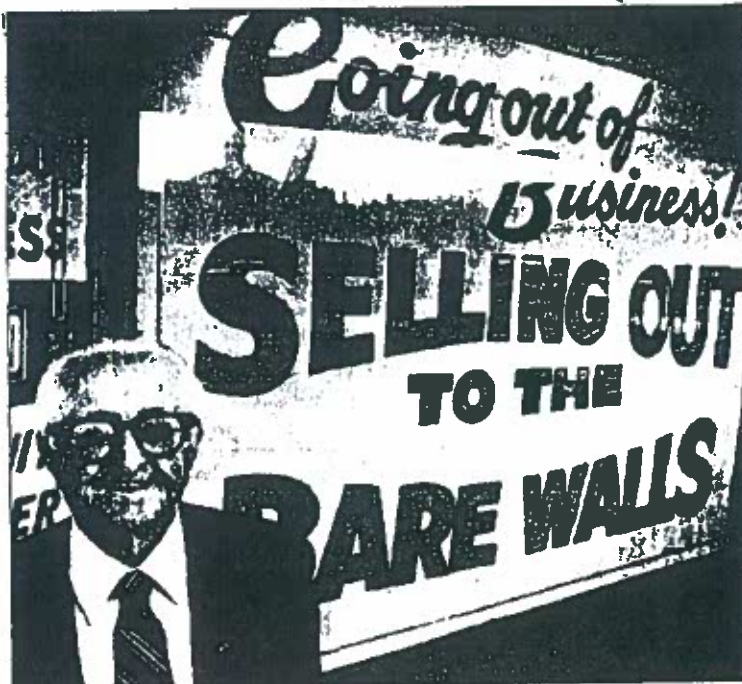
"When everybody was playing football, baseball and going to lunch," Ginsburg said, "I ate my sandwich and kept on reading my books because I wanted to progress."

Ginsburg graduated from Austin High in 1928 with "a straight-A record."

During his high school days Ginsburg said his dream was to be a math professor. "My math teacher always asked me to grade the math papers," he said. "I got an A+ in that class."

After graduating from high school, Ginsburg attended the University and worked part-time in his father's general merchandise store on Pecos Street (since renamed Sixth Street). "I made good grades without studying," he said.

Ginsburg said his parents were getting older during the time he went to the University, and he felt a responsibility to "stay away from school for a while to help them out at the store." He said he planned to be out of



Jim Stevens, Daily Texas Staff

Owner Sol Ginsburg, a Russian immigrant, opened his store on the Drag in 1961 but is preparing to close down.

school for eight or nine months, but "in a short period of time my father had a heart attack and passed away. That was the beginning of the end of my career."

Ginsburg then took full responsibility for his mother and knew he would have to give up his dream of being a math professor.

His family sold the house and their furniture and moved to Washington, D.C., where his sister was living. "I

stayed for three months. I didn't like it."

Ginsburg said he then decided to see for himself "what I could do in Austin, Texas." In 1934 he opened a small ready-to-wear shop on Sixth Street called Lucky Strike Dress Shoppe.

From there, Ginsburg said he went on to other retail businesses and became "successful in the business world."

In 1961 he opened Michael's Mens

Wear, which he named after a grandson.

"When I first came to the U.S.," Ginsburg said, "I had many plans and many wishes. In first, the plans were more than the wishes, and I would rather be in the U.S. than in Russia or anywhere, but especially Russia."

"It is with deep sadness that I am announcing to the students and faculty of the University of Texas that I am closing my doors forever."

Sol Ginsburg retired from the clothing business with the closing of Michael's Men's Wear in 1984.

## Sol I. Ginsburg

Sol I. Ginsburg, 82, passed away June 21, 1991.

He came to Austin from Russia in 1923, and was in business here for 55 years until retiring in 1984.

He was a 3rd degree master, Master, and member of University Lodge #1199 AF&AM, and was awarded a 50 year pin from the Shrine by Governor Alan Shivers; was past president and member of Congregation Agudas Achim, a member of B'nai B'rith, and he was also a past president of the Jewish Federation of Austin.

Funeral services will be held at 11:00 AM, Sunday, in the Central Chapel of Cook-Walden Funeral Home, Lamar location, with Rabbi Shmuel Sack officiating. Interment will be in Agudas Achim Cemetery.

Mr. Ginsburg is survived by his wife of 54 years, Anne Ginsburg; children, Michelle and Joseph Chasnov of Austin, David and Paula Ginsburg of Houston, Judy and Andrew Granger of Austin; seven grandchildren; and four great-grandchildren; sisters, Selma Baruch of California, Helen Shust of Florida; and brother, Solig Ginsburg of Florida.

Fullbearers and honorary pallbearers will be Dave Ravy, Ed Worch, Jack Swift, Jarrell Rubenoff, Harry Goldstein, Alan Dufren, Bob Hershfeld, Milton Simon, Ed London, Sandy Dechen, Sam Newman, John Miller and Joe Galt.

In lieu of flowers, the family asked that donations be made to the American Cancer Society, Hospice, or Congregation Agudas Achim.

Arrangements by Cook-Walden Funeral Home, Lamar location.

Obituary of Sol Ginsburg  
Austin American-Statesman, June 22, 1991



Anne Kaplan Ginsburg

Anne Ginsburg, 89, passed away on December 1, 2007. She was born on March 29, 1918, in New York and was raised in St. Louis, Mo.

Anne was married to Sol Ginsburg of Austin, Tex., in 1937, and following their honeymoon, they moved to Austin, where her husband was a business man. Throughout their marriage, she helped her husband with his business.

In her younger days, Anne and her husband were among the very earliest members of Congregation Agudas Achim. She was president of Sisterhood Agudas Achim and a devoted member of Hadassah and B'nai Brith Women. Anne had many friends in the community, and they all knew her by her smile. She was concerned about everyone else, which made her an irreplaceable friend.

Mrs. Ginsburg was a "woman of valor" to be remembered as a loving wife, mother, grandmother, and great-grandmother. Her greatest commitment was her family.

She is survived by her three children and their spouses, Michelle and Joseph Chasnov of Austin, David and Paula Ginsburg of Houston, and Judy and Andy Granger of Austin. She had ten grandchildren and twenty-four great-grandchildren.

Graveside Services will be held at 3:00 p.m., Monday, December 3, 2007, at Agudas Achim of Austin Memorial Park, with Harizan Nell F. Blumof, officiating.

The family wishes to acknowledge Alma Williams, her lifetime friend and housekeeper, the Professional Caretakers and the Christopher House of Hospice Austin for their total devotion to Mrs. Ginsburg.

In lieu of flowers, the family requests that donations be made to the Anne and Sol Ginsburg Educational Fund of Congregation Agudas Achim or to Hospice Austin.



COOK-WALDEN  
Funerals & Cremations  
6100 North Lamar  
684-8831

Obituary of Anne Ginsburg  
Austin American-Statesman,  
December 3, 2007



## A. APPLICATION FOR HISTORIC ZONING

OK to go  
SS  
10-5-09

**PROJECT INFORMATION:**

#10351036

DEPARTMENTAL USE ONLY	
APPLICATION DATE: <u>10-6-09</u>	FILE NUMBER(S): <u>C14H-2009-0058</u>
TENTATIVE HLC DATE: _____	
TENTATIVE PC or ZAP DATE: _____	
TENTATIVE CC DATE: _____	
CASE MANAGER: <u>S. Sordani</u>	CITY INITIATED: YES/NO <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">NO</span>
APPLICATION ACCEPTED BY: <u>R. Rando</u>	ROLLBACK: YES/NO _____

**BASIC PROJECT DATA:**

1. OWNER'S NAME: <u>Chris and Anne Newton</u>	
2. PROJECT NAME: <u>Dattiger - Ginsburg Home</u>	
3. PROJECT STREET ADDRESS (or Range): <u>1404 Preston Avenue</u>	
ZIP: <u>78703</u>	COUNTY: <u>Travis</u>
IF PROJECT ADDRESS CANNOT BE DEFINED ABOVE:	
LOCATED _____ FRONTAGE FEET ALONG THE <u>N. S. E. W.</u> (CIRCLE ONE) SIDE OF	
APPROXIMATELY _____ (ROAD NAME PROPERTY FRONTS ONTO), WHICH IS	
INTERSECTION WITH _____ DISTANCE FROM ITS	
CROSS STREET.	

**AREA TO BE REZONED:**

4. ACRES <u>0.222</u>		(OR)	SQ.FT. <u>3,469</u>		
5. ZONING AND LAND USE INFORMATION:					
EXISTING ZONING	EXISTING USE	TRACT# (IF MORE THAN 1)	ACRES / SQ. FT.	PROPOSED USE	PROPOSED ZONING
<u>SF</u>	<u>Family Dwelling</u>	_____	_____	_____	<u>SF-3-H</u>
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

**RELATED CURRENT CASES:**

6. ACTIVE ZONING CASE? (YES / NO)	FILE NUMBER: _____
7. RESTRICTIVE COVENANT? (YES / NO)	FILE NUMBER: _____
8. SUBDIVISION? (YES / NO)	FILE NUMBER: _____
9. SITE PLAN? (YES / NO)	FILE NUMBER: _____

PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):

10a. SUBDIVISION REFERENCE: Name: <u>Pemberton Heights</u>			
Block(s) <u>17</u>	Lot(s) <u>12 + 13</u>	Outlot(s) _____	
Plat Book: <u>Volume 4</u>	Page _____		
Number: <u>29</u>			
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: _____	PAGE: _____	TAX PARCEL I.D. NO. <u>115674</u>
<u>Item No. 2007007833</u>		

OTHER PROVISIONS:

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

OWNERSHIP TYPE:

15. <u>SOLE</u> <input checked="" type="checkbox"/> <u>COMMUNITY PROPERTY</u> <input type="checkbox"/> <u>PARTNERSHIP</u> <input type="checkbox"/> <u>CORPORATION</u> <input type="checkbox"/> <u>TRUST</u>
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: <u>[Signature]</u>	NAME: <u>Chris Newton</u>
FIRM NAME: _____	TELEPHONE NUMBER: <u>481-1977</u>
STREET ADDRESS: <u>1404 Prester Avenue</u>	
CITY: <u>Dustin</u>	STATE: <u>Texas</u> ZIP CODE: <u>78703</u>
EMAIL ADDRESS: <u>newtganth@gmail.com / acnewton@aol.com</u>	

AGENT INFORMATION (IF APPLICABLE):

17. AGENT CONTACT INFORMATION	
SIGNATURE: _____	NAME: _____
FIRM NAME: _____	TELEPHONE NUMBER: _____
STREET ADDRESS: _____	
CITY: _____	STATE: _____ ZIP CODE: _____
CONTACT PERSON: _____	TELEPHONE NUMBER: _____
EMAIL ADDRESS: _____	

DEPARTMENTAL USE ONLY: \_\_\_\_\_

## 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.

Chris Newton 10/3/09  
Signature Date

Chris Newton  
Name (Typed or Printed)

\_\_\_\_\_  
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.

Chris Newton 10/3/09  
Signature Date

Chris Newton  
Name (Typed or Printed)

\_\_\_\_\_  
Firm (If applicable)

## E. ACKNOWLEDGMENT FORM

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

I, Chris Newton 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

1404 Preston Avenue, Austin, TX 78703  
(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.

Chris Newton  
(Applicant's signature)

10/3/09  
(Date)



TAX CERTIFICATE  
Nelida Wells Spears  
Travis County Tax Assessor-Collector  
P.O. Box 1748  
Austin, Texas 78767  
(512) 854-9473

NO 1042177

ACCOUNT NUMBER: 01-1600-0230-0000

PROPERTY OWNER:

NEWTON CHRISTOPHER G & ANNE H  
1404 PRESTON AVE  
AUSTIN, TX 78703-1902

PROPERTY DESCRIPTION:

E 40 FT OF LOT 12 \*E W 30 FT OF LO  
T 13 BLK 17 PEMBERTON HEIGHTS SEC  
8

ACRES 0.000 MIN\* .00000 TYPE

SITUS INFORMATION: 1404 PRESTON AVE

This is to certify that after a careful check of tax records of this office, the following taxes, delinquent taxes, penalties and interests are due on the described property of the following tax unit(s):

YEAR	ENTITY	TOTAL
2009	AUSTIN ISD	12,470.05
	CITY OF AUSTIN (TRAV)	4,429.73
	TRAVIS COUNTY	3,548.84
	TRAVIS COUNTY HEALTHCARE DISTRICT	567.48
	ACC (TRAVIS)	985.65

TOTAL SEQUENCE 0

22,001.75

TOTAL TAX:	22,001.75
UNPAID FEES:	* NONE *
INTEREST ON FEES:	* NONE *
COMMISSION:	* NONE *
TOTAL DUE ==>	22,001.75

ALL TAXES PAID IN FULL PRIOR TO AND INCLUDING THE YEAR 2009 EXCEPT FOR UNPAID YEARS LISTED ABOVE.

The above described property may be subject to special valuation based on its use, and additional rollback taxes may become due. (Section 23.55, State Property Tax Code).

Pursuant to Section 31.08 of the State Property Tax Code, there is a fee of \$10.00 for all Tax Certificates.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS DATE OF 10/07/2009

Fee Paid: \$10.00

Nelida Wells Spears  
Tax Assessor-Collector

By: 

**1404 Preston Avenue – Deed Chronology**

1. Mamie Steele Jarratt & J.E. Jarratt to John W. Wattinger  
West 30 feet of Lot. No. 13 and East 40 feet of Lot No. 12  
Block 17, Section 8, Pemberton Heights

April 4, 1940

Volume 4, Page 29, Travis County Plat Records

2. John W. Wattinger to William R. Autenberry  
West 30 feet of Lot. No. 13 and East 40 feet of Lot No. 12  
Block 17, Section 8, Pemberton Heights

April 19, 1943

Volume 715, Page 192, Travis County Deed Records

3. Ruby Autenberry to Sol Ginsburg  
West 30 feet of Lot. No. 13 and East 40 feet of Lot No. 12  
Block 17, Section 8, Pemberton Heights

October 10, 1943

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4. Sol Ginsburg to Guy Morgan  
West 30 feet of Lot. No. 13 and East 40 feet of Lot No. 12  
Block 17, Section 8, Pemberton Heights

June 25, 1970

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5. Guy Morgan to Robert and Joan Freeman  
West 30 feet of Lot. No. 13 and East 40 feet of Lot No. 12  
Block 17, Section 8, Pemberton Heights

August 30, 1976

Volume 5556, Page 242, Travis County Deed Records

6. Robert Freeman to Joan Gardner Freeman  
West 30 feet of Lot. No. 13 and East 40 feet of Lot No. 12  
Block 17, Section 8, Pemberton Heights

October 22, 1982

**1404 Preston Avenue – Occupancy History**

<b>1940 – 1943</b>	<b>John W. Wattinger / Plumber / Commercial construction</b>
<b>1943</b>	<b>William and Ruby Autenberry / Restaurant owners</b>
<b>1943 – 1970</b>	<b>Sol Ginsburg / Men's clothing merchant</b>
<b>1970 – 1976</b>	<b>Guy Morgan / Attorney</b>
<b>1976 – 1982</b>	<b>Robert Freeman / Attorney</b>
<b>1982 – 1986</b>	<b>Joan Gardner Freeman</b>
<b>1986 – 2007</b>	<b>William and Maureen Britton / Banker</b>
<b>2007 – Present</b>	<b>Chris and Anne Newton / Attorney / Executive</b>

## 1404 Preston/ Wattinger-Ginsburg Home – Historical Narrative and Justification for Historic Zoning

### Architectural Design

The home located at 1404 Preston was originally constructed by John W. Wattinger in 1941. From building permits submitted to the city during this period, Mr. Wattinger constructed both the home located at 1404 Preston Avenue as well as the home located at 1402 Preston Avenue.

The architecture of the Wattinger home located at 1404 Preston Avenue can best be described as "Colonial Revival". The home design includes the following characteristics of the Colonial Revival style:

- a. Balanced, symmetrical rectangular shape
- b. Multi-pane, double hung windows
- c. Living areas on first floor and bedrooms on upper floor
- d. Columns on either side of front entryway
- e. Two stories
- f. Fireplaces

The design and appearance of the home today continue to reflect the architectural choices found in the home's original construction. The only modification to the exterior appearance of the home has been a small addition made to the first floor in 1970. Many of the structure's windows are the original, double hung windows installed when the home was constructed in 1941.

### History of Owners

#### John W. Wattinger

John W. Wattinger was the son of Jacob Wattinger. Jacob Wattinger arrived in Central Texas in 1886 after emigrating from Switzerland. Jacob was skilled as a stonemason and founded a construction company in 1902, the Wattinger Group of Companies, which is still in operation today.

Historical notes demonstrate that Jacob Wattinger received commissions to construct the University of Texas Women's Building in 1903 (now known as the Drama Building) as well as the Education Building at Texas State University in 1919. The Wattinger Group of Companies is also responsible for the construction of the Travis County Courthouse as well as the city of Austin's original public library (now the Austin History Center). Since its founding, the company has constructed 21 buildings at the University of Texas as well as several buildings at Saint Edwards University and Southwestern University in Georgetown.

According to the 1941 city directory, John W. Wattinger's trade was listed as plumber. This occupation is in keeping with his family's construction business which also included plumbing and other services. Wattinger purchased the lots of 1404 and 1402 Preston in 1940. He lived in 1404 Preston until his

divorce from his wife, Verinetta, in 1943. After his divorce, Wattinger sold 1404 Preston to William Autenberry.

John W. Wattinger was also a candidate for the 1946 Austin City Council. Wattinger lost the election after only receiving 2.41% of the vote.

#### William and Ruby Autenberry

William and Ruby Autenberry purchased 1404 Preston from John Wattinger in April 1943. The Autenberry's owned the home for only six months before selling the home to Sol Ginsburg in October 1943.

William and Ruby Autenberry owned and operated the P&K Café in Austin.

#### Sol Ginsburg

Sol Ginsburg purchased the home located at 1404 Preston Avenue in 1943 and lived in the house until 1970. Ginsburg first came to Austin in 1923 as a 16 year old immigrant from Russia. Ginsburg recollected later in life that it took his family two years to make it from Russia to Austin.

Although Ginsburg spoke little English when he began his life in Austin, he graduated from Austin High School (Rio Grande campus) in 1928 with an "A" average. His family operated a general merchandise store on Pecan Street where Sol worked part time to help the family. Ginsburg enrolled at the University of Texas after Austin High with dreams of becoming a mathematics professor. While attending the university, Sol dropped out for a semester to help his parents with their store. During this time, Sol's father had a heart attack and died. Sol's family sold their Austin home and moved to Washington D.C. to be nearer to Sol's sister and other family members. After three months in Washington, Sol returned to Austin to begin his business career.

In 1934, Ginsburg opened the Lucky Strike Dress Shoppe located on Sixth Street. In 1947, he opened the Austin Man's Shop located at 107 E. 6<sup>th</sup> Street. In 1961, Ginsburg opened a new business located at 2424 Guadalupe Street called Michael's Mens Wear. The store was named after his grandson. Located across the street from the University of Texas, Michael's Mens Wear remained in operation for almost a quarter century until Sol closed it in 1984. A January 17, 1984 article in the *Daily Texan* on the closing of Michael's Mens Wear included the following quote from Sol Ginsburg:

*When I first came to the US I had many pluses and many minuses. In final, the pluses were more than the minuses, and I would rather be in the US than Russia or anywhere, but especially Russia. It is with deep sadness that I am announcing to the students and faculty of the University of Texas that I am closing my doors forever.*

In addition to his business activities, Ginsburg was also active in the Jewish community in Austin. He served as past president of the Jewish Federation of Austin and was a member of B'Nai B'rith. Ginsburg was also active in his synagogue having served as a member of the board of directors and past president of Congregation of Agudas Achim.

Sol's involvement with Congregation Agudas Achim came at an important moment in the history of the synagogue. Congregation Agudas Achim was chartered on February 16, 1924. The group's first synagogue was located on the corner of Seventh and San Jacinto Street. Members of the congregation encouraged Jewish people to move to Austin to help grow their congregation. In response to these efforts, the congregation grew to include not only the synagogue but a Hebrew school as well. In 1930, Congregation Agudas Achim purchased a building located at 909 San Jacinto Street. To continue their growth, members of the congregation contacted parents of Jewish students attending the University of Texas to ensure their children were aware of the synagogue.

After outgrowing their location at 10<sup>th</sup> and San Jacinto, Congregation Agudas Achim purchased and constructed a new facility located at 4200 Bull Creek Road in 1958. To officially open the new facility, Congregation Agudas Achim planned a large event inviting several state and federal officials to address the congregation. The date selected for the event was Sunday, November 24, 1963 and was to include an address from then Vice President Lyndon Johnson. Because of President John F. Kennedy's assassination on Friday, November 22, 1963, the address was cancelled. President Lyndon Johnson did return to Congregation Agudas Achim on December 30, 1963 to address the members of the congregation and help welcome them to their new facility.

As a leader of Austin's Jewish community, Sol Ginsburg was involved in all of these activities as a member of Congregation Agudas Achim's Board of Directors during 1963 – 1964 and as a past president of the congregation. This period also coincides with his residency at 1404 Preston Avenue.

Sol's wife, Anne, also served as Parliamentarian of the Agudas Achim Sisterhood in 1963.

Ginsburg was also a 32<sup>nd</sup> degree mason, Shriner and member of the University Lodge. He was awarded a 50 year pin by the Shriners from then Governor of Texas Allan Shivers.

Congregation Agudas Achim continues in operation today at 7300 Hart Lane.

Sol Ginsburg died on June 21, 1991.

#### **Application of Historic Landmark Criteria**

The Wattinger- Ginsburg home located at 1404 Preston Avenue in Pemberton Heights should receive historic landmark classification because of the age of its construction (1941 – 68 years), its embodiment of a recognized architectural design (Colonial Revival) and the contributions made to the city of Austin by its residents

The Wattinger – Ginsburg home was originally constructed, and served as the principal residence of John Wattinger. Mr. Wattinger was a member of one of the city's most important families then engaged in the construction of numerous city landmarks. These landmarks include the Travis County Courthouse, Austin History Center (Austin Public Library) and numerous buildings still in use on the University of Texas campus.

The third owner of the home, Sol and Ann Ginsburg also exemplify the history of Austin's Jewish faith. Sol Ginsburg's arrival in Austin as a Russian immigrant at the dawn of the 20<sup>th</sup> century heralded a new beginning not only for he and his family, but also for Austin's ethnic diversity. Ginsburg was a leader in the city's growing constituency of Jewish people. His leadership and contributions included serving as president of both the Jewish Federation of Austin as well as Congregation Agudas Achim. His wife, Ann, was also active in this endeavor serving as Parliamentarian of the Agudas Achim Sisterhood in 1963. The Ginsburg's leadership of Congregation Agudas Achim coincides with not only the growth of the synagogue and Austin's Jewish population, but also one of this nation's most tragic events, the assassination of President John F. Kennedy.

Ginsburg's contributions to the City of Austin's business development are also important. His career as a clothing merchant spanned 50 years (1934 – 1984). The closing of his men's clothing store (which he operated for nearly a quarter century at the same location) on Guadalupe Street (The Drag) was recognized by an article in the *Daily Texan* newspaper.

The continued operation of the Wattinger Group of Companies as well as Congregation Agudas Achim serve as testaments to enduring value of the contributions to the city of Austin by John Wattinger and Sol Ginsburg. These individuals' residence at 1404 Preston Avenue merits the property's designation as a historic landmark.