

# ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-2010-0013

HLC DATE: April 26, 2010

PC DATE: June 22, 2010

C10

APPLICANTS: Jay Tassin and Brent Danninger, owners

HISTORIC NAME: McClendon-Kozmetsky House

WATERSHED: Shoal Creek

ADDRESS OF PROPOSED ZONING CHANGE: 1001 W. 17<sup>th</sup> Street

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

SUMMARY STAFF RECOMMENDATION: Staff recommends the proposed zoning change from single family residence (SF-3) district to single 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: 6-0 (Myers absent).

PLANNING COMMISSION ACTION:

DEPARTMENT COMMENTS: The house is not listed in the Comprehensive Cultural Resources Survey (1984).

CITY COUNCIL DATE: September 30, 2010

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: Judge's Hill Neighborhood Association

BASIS FOR RECOMMENDATION:

Architecture:

One-story rectangular-plan side-gabled brick veneer house in the mid-century modern style, probably designed by Page Southerland Page.

Historical Associations:

The house was built in 1955 for Judge James W. McClendon and his wife Annie Watt McClendon, who had received the property from her father as a wedding gift many years before. James W. McClendon (1873-1972) was born in Georgia, where he father was a merchant and small town mayor. After his father's death, his mother moved the family to Laredo, Texas, where she worked as a missionary. McClendon graduated from the University of Texas at Austin, and was a member of the first graduating class of the UT Law School (1897). He practiced law with his brother-in-law in Austin for over 20 years, then was appointed by Governor Hobby to the Texas Supreme Court Commission of Appeals (1918), serving as chief justice from 1912 to 1923, when he was appointed Chief Justice of the Texas Court of Civil Appeals, a position he held until his retirement in 1949. Judge McClendon was instrumental in the creation of the Texas Judicial Council and worked to revise the rules of civil procedure in Texas. He presided over the case of Sweatt v. Painter (1950), and upheld

Texas' law of providing separate but equal facilities for African-Americans – in this case, the UT Law School. His decision was overturned by the U.S. Supreme Court in one of the principal cases leading to Brown v. Board of Education (1954), which led to the demise of the “separate but equal” doctrine in educational facilities and sparked the civil rights movement of the late 1950s and 1960s.

Judge McClendon was also very involved in civic, philanthropic, and university activities. He served as the first president of the Texas Fine Arts Association, which oversaw the creation of the Elisabet Ney Museum, he was the acquisitions chairman for Laguna Gloria, and oversaw the establishment of the museum's permanent collection, and was a charter member of the Heritage Society of Austin, drawing up the Society's charter in 1953. At the University of Texas, Judge McClendon was on the committee which built Gregory Gym, Memorial Stadium, and Kirby Hall, and as a Mason, he was instrumental in the construction of the Scottish Rite Dormitory. After his wife's death, he moved to the Westgate Towers, and sold this house in 1966. He died in 1972 at the age of 98.

George and Ronya Kozmetsky purchased the house from Judge McClendon in 1966, having moved to Austin when George Kozmetsky accepted the position of dean at the University of Texas School of Business. Kozmetsky, born in Seattle, graduated from the University of Washington and earned his M.B.A. from Harvard University in 1957. He taught at the University of Washington, the Harvard Graduate School of Business Administration, and Carnegie Mellon University before going into business. He was an executive at Hughes Aircraft Company and Litton Industries before becoming a co-founder of Teledyne, a huge defense electronics firm, in 1960. At UT, Dr. Kozmetsky taught in the Management and Computer Sciences Department at UT; as dean, Kozmetsky was responsible for the huge growth of the business school – between 1966 and 1982, when he retired, the school almost quadrupled in size, and grew from 2 to 51 professors. Kozmetsky served as the mentor to Michael Dell in developing his computer business; Dell spent many hours with Dr. Kozmetsky at this house. Both George and Ronya Kozmetsky were very involved in philanthropic activities in Austin. At UT, he built the George Kozmetsky Center for Business Education. The Kozmetskys moved into a condominium in 2002 and sold the house to the RGK Foundation, which they had created to promote medical research. The Foundation sold the house to Joseph Loiocano, who rented the house out. The current owners, Jay Tassin and Brent Danninger, purchased the house in 2006.

**PARCEL NO.:** 02110107260000

**LEGAL DESCRIPTION:** Lot 2, Outlot 11, Division E, Anne Watt McClendon Subdivision.

**ANNUAL TAX ABATEMENT:** \$15,631 (owner-occupied); city portion: \$2,841 (capped).

**APPRAISED VALUE:** \$1,350,013

**PRESENT USE:** Residence

**CONDITION:** Excellent

**PRESENT OWNERS:** Jay Tassin and Brent Danninger

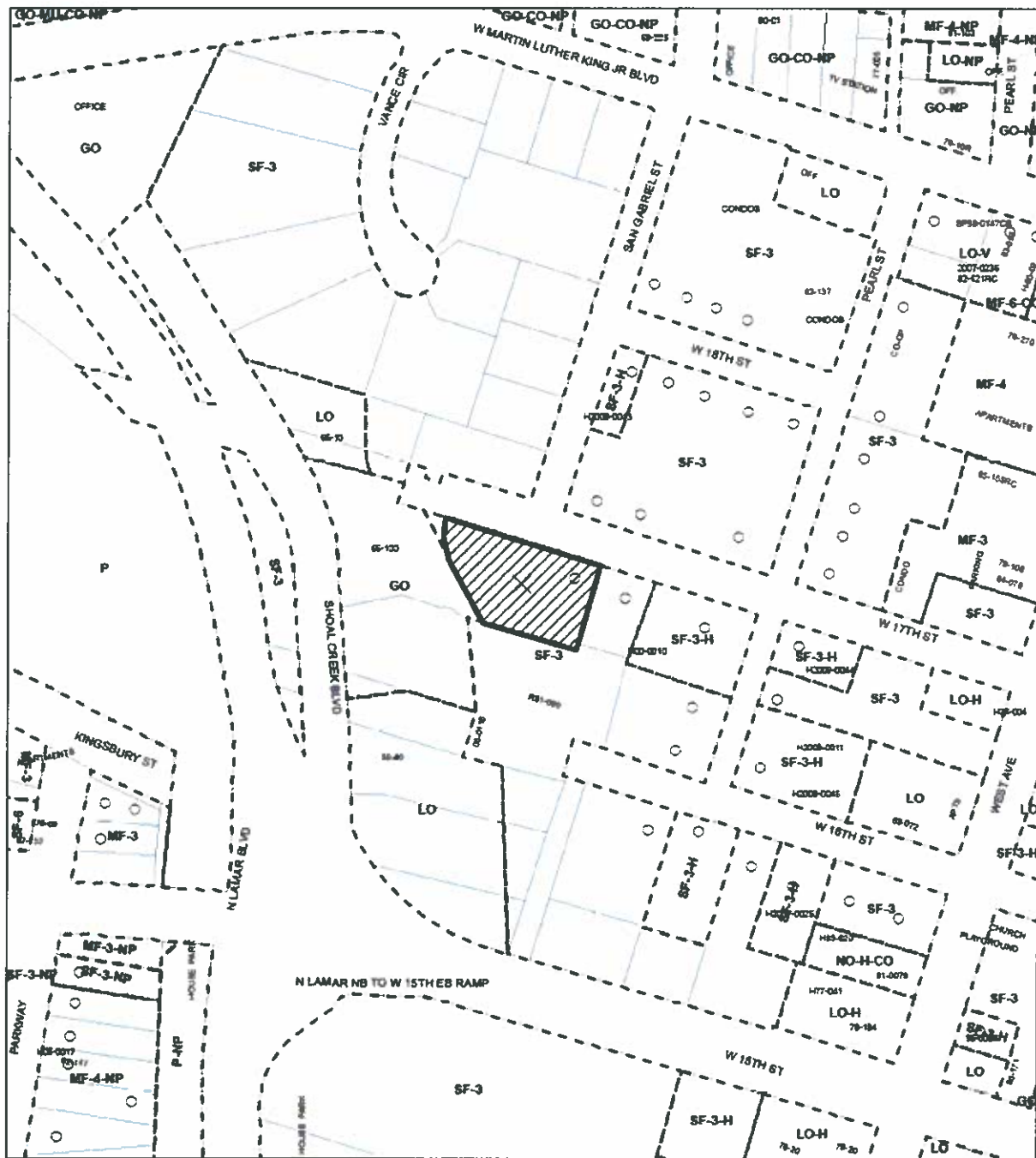
**DATE BUILT:** ca. 1955

**ALTERATIONS/ADDITIONS:** Swimming pool (1967), library designed by Roland Roessner (1985); garage, breezeway, and woodshop (2006).




ORIGINAL OWNER(S): Judge James W. and Anne Watt McClendon

OTHER HISTORICAL DESIGNATIONS: None.

LOCATION MAP



1" = 200'

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
- OPERATOR: S. MEEKS

HISTORIC ZONING

ZONING CASE#: C14H-2010-0013  
ADDRESS: 1001 W 17TH ST  
SUBJECT AREA: 0.000 ACRES  
GRID: J23  
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.



KOZMETKSY-MCCLENDON HOUSE  
1001 W. 17TH STREET  
FRONT OF HOUSE FROM ENTRY WALKWAY



KOZMETSKY-MCCLENDON HOUSE  
1001 W. 17TH STREET  
FRONT VIEW LARGELY CONCEALS GARAGE



KKOZMETSKY-MCCLENDON HOUSE  
1001 W. 17TH STREET  
GARAGE ADDITION FROM DRIVEWAY  
SALVAGED ORIGINAL AUSTIN COMMON BRICK  
CUSTOM OGEE BATTENS MATCH ORIGINAL  
ROUND GABLE VENTS MATCH ORIGINAL  
SAME 6-ON-12 ROOF PITCH





KOZMETSKY-MCCLENDON HOUSE  
1001 W. 17TH STREET  
KOZMETSKY LIBRARY ADDITION FROM STREET  
RUSTED FENCE TO BE RESTORED



KOZMETSKY-MCCLENDON HOUSE  
1001 W. 17TH STREET  
REAR OF HOUSE



## A. APPLICATION FOR HISTORIC ZONING

OK to go  
SS  
3-23-10

### PROJECT INFORMATION:

DEPARTMENTAL USE ONLY	
APPLICATION DATE: <u>03/25/10</u>	FILE NUMBER(S) <u>C14H-2010-0013</u>
TENTATIVE HLC DATE: _____	
TENTATIVE PC or ZAP DATE: <u>B/D</u>	
TENTATIVE CC DATE: _____	
CASE MANAGER: <u>Steve S</u>	CITY INITIATED: YES / NO
APPLICATION ACCEPTED BY: <u>S Pope</u>	ROLLBACK: YES/NO

### BASIC PROJECT DATA:

1. OWNER'S NAME: Jay Tassin and Brent Danninger
2. PROJECT NAME: McClendon-Kozmetsky House
3. PROJECT STREET ADDRESS (or Range): 1001 West 17<sup>th</sup> Street  
ZIP 78701 COUNTY: Travis

J23 Shoal Creek Urban

### AREA TO BE REZONED:

4. ACRES: .892 acres (land)		(OR)	SQ.FT: 30,000 (land)		
5. ZONING AND LAND USE INFORMATION:					
EXISTING ZONING	EXISTING USE	TRACT# (IF MORE THAN 1)	ACRES / SQ. FT.	PROPOSED USE	PROPOSED ZONING
SF-3	residence	_____	_____	residence	SF-3H
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

### 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:	_____

W Shoal Creek  
G J23  
**SCANNED**

**PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS):**

**10a. SUBDIVISION REFERENCE:** Name: Anne Watt McClendon Subdivision  
Lot 2, Outlot 11, Division E

**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:** 2008023563 **PAGE:** \_\_\_\_\_ **TAX PARCEL I.D. NO.** 02110107260000

**OTHER PROVISIONS:**

**12. IS PROPERTY IN A ZONING COMBINING DISTRICT / OVERLAY ZONE?** YES / NO

TYPE OF COMBINING DIST/OVERLAY ZONE (NCCD, NP, etc) \_\_\_\_\_

**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:**

**16. \_\_\_\_\_ 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: Jay Tassin & Brent Denninger

TELEPHONE NUMBER: 512-236-1993; 786-2011 Jay's cell

STREET ADDRESS: 1001 West 17<sup>th</sup> Street

CITY: Austin STATE: TX ZIP CODE: 78701

EMAIL ADDRESS: JTassin@austin.rr.com

**AGENT INFORMATION (IF APPLICABLE):**

**17. AGENT CONTACT INFORMATION**

SIGNATURE: \_\_\_\_\_

NAME: Phoebe Allen

TELEPHONE NUMBER: 444-1328, 627-8170 c

STREET ADDRESS: 2510 Cedarview Drive

CITY: Austin STATE: Texas ZIP CODE: 78704

CONTACT PERSON: Phoebe Allen TELEPHONE NUMBER: 444-1328, 627-8170c

EMAIL ADDRESS: \_\_\_\_\_

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

**SCANNED**

## C. 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.

 3/18/10  
Signature Date

Jay Tassin & Brent Danninger  
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.

 3/15/10  
Signature Date

Jay Tassin & Brent Danninger  
Name (Typed or Printed)

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

## E. ACKNOWLEDGMENT FORM

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

I, Jay Tassin & Brent Danning 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

1001 West 17<sup>th</sup> Street, 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.

  
(Applicant's signature)

 3/18/10  
(Date)

SCANNED

## F. 1: Historical Documentation - Deed Chronology

### Deed Research for 1001 West 17<sup>th</sup> Street

#### DEED CHRONOLOGY: Legal Description: Lot 2 of Outlot 11 DIVISION E

- Jan 17, 1852 Gov. Bell granted purchase of Lots 10 & 11 to S.C. Robertson, assignee of Samuel G. Haynie. Vol. F pg. 59
- June 28, 1858 E.S.C. Robertson sold the lots to the Rev. Charles Gillette for \$600. Gillette lived in Baltimore, MD. Vol. M pg. 376
- Nov 14, 1905 W.T. Watt of McLennan County bought property from Gillette heirs for \$7,500 Portion of outlots 10 and 11 bound by West Avenue, Cherry (16<sup>th</sup>), Shoal Creek, and Linden (17<sup>th</sup>) except for a plot (lots 7, 8, 9 of outlot/block 10) on West Ave. Vol. 204 pg. 606
- Mar 24, 1909 W.T. Watt deeded Lot #11 to daughter Anne Watt McClendon as a wedding gift. Vol 226 pg. 317
- Dec 2, 1966 Mary Anne McClendon, single, and Elizabeth Knight & F.F. Knight to George & Ronya Kozmetsky \$39,000 note, Lot 2 of Anne Watt subdivision  
James W. McClendon to George Kozmetsky Lot 2, Outlot 11E Vol. 3227 pg 562  
(as executor of estate of Anne Watt McClendon, deceased)
- Dec 10, 2002 George & Ronya Kozmetsky to RGK Foundation, charitable contribution
- Mar 1, 2004 RGK Foundation, Gregory A. Kozmetsky, president, to Charles Webre \$805,000, #2004039450
- Apr 26, 2004 Charles Webre & Priscilla Glover; Thelene Gilmore, agent to Joseph Loiacono II \$710,100 #2004077985
- July 11, 2006 Joseph Loiacono II to Jay Tassin & Brent Danninger #2006133202

## F. 2: Historical Documentation - Occupancy History

### Occupancy Research for 1001 West 17<sup>th</sup> Street (and related 909 W. 17<sup>th</sup>)

Year	Occupant Name and Reference	Source
OCCUPANCY: 1001 West 17 <sup>th</sup> Street		
1940	McClendon, James W. Hon. (Annie) Chief Justice Court of Civil Appeals Third District, h Mt. Bonnell Rd.	
1954	McClendon, Jas (Mary) h 3808 W. 35 <sup>th</sup> [1001 W. 17 <sup>th</sup> not listed]	
1955	McClendon, Jas (Mary) h 3808 W. 35 <sup>th</sup> [1001 W. 17 <sup>th</sup> not listed]	

SCANNED

1958 Mary A. McClendon [McClendon daughter] 909 W. 17th Street  
[1001 West 17<sup>th</sup> not listed in street index]

1959 McClendon, J.W. r 909 W. 17<sup>th</sup>  
Mary A. McClendon, 909 W. 17th Street  
[1001 West 17<sup>th</sup> not listed in street index]

1960 McClendon, Jas (Annie W) h1001 W. 17<sup>th</sup> [no occ]  
—, J.W. r 909 W 17<sup>th</sup>  
—, Mary A. h909 W. 17<sup>th</sup>

1963 McClendon, Jas (Annie W) h1001 W. 17<sup>th</sup>  
McClendon, Mary A. h909 W17th

1964 McClendon, Jas (Annie W) retd. h1001 W. 17<sup>th</sup>  
Knight, Robert E. Knight, student, h909 W. 17<sup>th</sup> [McClendon grandson, UT special instructor at the time, commercial  
realtor since]

1965 McClendon, James W. retd. h1001 W. 17<sup>th</sup>

1966: 909 W. 17<sup>th</sup>: Knight, Robt. E.  
1001 W. 17<sup>th</sup>: no return  
McClendon, James W. h1122 Colorado St. Apt 1902 [Westgate Tower]

1967: 909 W. 17<sup>th</sup>: Heatley, Sue, student  
1001 W. 17<sup>th</sup>: no return

1968 Kozmetsky, George (Ronya), Dean of business School U of T, h1001 W. 17th  
909 W. 17<sup>th</sup>: Vacant

1970 Kozmetsky, George (Ronya) prof UofT, h1001 W. 17th  
Vacant, 909 W. 17<sup>th</sup>  
McClendon, James W. h1122 Colorado St. Apt 1902

1975 Kozmetsky, George (Ronya) prof UofT, h1001 W. 17<sup>th</sup>  
909 W. 17<sup>th</sup>: Bailey, John R. (Clandia) student

1980 Kozmetsky, George (Ronya) dean UofT, h1001 W. 17<sup>th</sup>  
909 W. 17<sup>th</sup>: no return

1985-6 Kozmetsky, Geo & Ronya, dir United Savs  
909 W. 17<sup>th</sup>: vacant

1990 Kozmetsky, Geo, dir RGK Foundation  
909 W. 17<sup>th</sup> not listed

1992 Kozmetsky, Geo, dir RGK Foundation, h. 909 W. 17<sup>th</sup>

1993-95 No city directories available at Austin History Center

1996 1001 W. 17<sup>th</sup> is not listed, nor is 909 W. 17<sup>th</sup>

2000 1001 W. 17<sup>th</sup> is not listed, nor is George Kozmetsky

2003 1001 W. 17th St and 909 W. 17th: no current listings  
Joseph Lolocono II is listed with a Post Office Box number

2005 Lolocono, Joseph, h 1001 W. 17<sup>th</sup> [no occupation listed]  
no listing for 909 W. 17th

2006 Brent Danning and Jay Tassin

**SCANNED**



## McClendon-Kozmetsky House

1001 West 17<sup>th</sup> Street, Austin, Texas 78701

*Prepared March 2010 by Phoebe Allen, 512-444-1326, phoebezink@gmail.com*

### SUMMARY

Judge **James McClendon** and his wife **Anne Watt McClendon** built this Mid-Century Modern Ranch style home circa 1955, probably using architects **Page Sutherland Page**. **Ronya and George Kozmetsky** purchased the house in 1966 and added the library in the mid 1980s. Kozmetsky, UT Business School Dean (1966-82), mentored his student protégé **Michael Dell** in the library.

### ARCHITECTURAL DESCRIPTION

This 5,448 square foot mid-century Modern Ranch home was built with Austin common brick on a single level, situated below the street level on a large lot with old live oaks. It has a more steeply pitched roof (six-on-twelve) than a typical ranch, and is ahead of its time in terms of solar shading. The structure is linear, along an east-west axis, with vertical seasonal shading (deciduous trees) to the east and west. The long north face has no eaves, while the south side has deep eaves. This thoughtful orientation keeps utility bills down and is now being emulated by the new green building movement. Round gable vents were used, and board-and-batten with an ogee batten style surrounds the largest banks of the many patio doors.

### Modifications

The library was added by Ronya and George Kozmetsky in 1985, when the formerly flat, eight-foot ceilings in the living and dining rooms were vaulted, under the direction of architect and UT professor **Roland Gommel Roessner**, who had also been in charge of a 1967 renovation and addition of the swimming pool.

The detached garage/woodshop and adjoining breezeway was added to the rear of the house by the current owners in 2007, using salvaged Austin Common brick. The woodshop is used for restoration work; the apartment is rented out to visiting professors and architects who help with the restoration. The former rear-facing garage was enclosed with sliding glass doors and is attached to the rear breezeway, thus expanding the kitchen with a family room/breakfast area. The original oak and teak parquet floors were restored. Restoration of windows and doors is ongoing in the woodshop.

### ARCHITECT

Although unconfirmed by written evidence, it is thought that **Page Southerland Page** was the architect for the house. Page Brothers designed the first home of the McClendons, on the same block. Recent architecture graduates of the Massachusetts Institute of Technology, **Louis Charles Page Jr.** (1909-1981) of Austin and **Louis Feno Southerland** (1906-?) of Trenton, Texas formed a partnership as **Page & Southerland** in 1932. Page received his bachelor's degree from UT and was a native of Austin, son of architect **Louis Page**, with whom he worked after a summer at the *Ecole des Beaux-Arts* in Fontainebleau, France. He was president of the Austin Chapter of Architects in America (AIA) in 1956 and elected an AIA Fellow in 1963.

Southerland studied engineering and architecture at UT prior to his studies at MIT. He worked for several firms in Boston, Chattanooga and Nashville before joining Page, and served in the US Navy during World War II as contract superintendent in charge of naval construction

letting on the Gulf Coast. He was president of the Austin AIA in 1953, and named an AIA Fellow in 1956.

The Page Southerland firm folded within a year due to the Depression, but reopened in 1935 in Austin. Its successor, Page Southerland Page, became one of the largest architectural firms in Austin in the 1970s and '80s. Page Southerland projects included work for the Austin State School, Rosewood Housing Project (1838, one of the first public housing projects in the United States) and the 1937 Austin City Hall, as well as houses for Lyndon B. Johnson and many other legendary Texas figures.

Louis Page Jr. began what would become a strong link between the firm and academia by teaching at the University of Texas. His younger brother, **George Matthews Page** (1915-), who received his bachelor's in architecture in 1937, joined the firm in 1939. After service in the Naval Reserve and in active duty as an intelligence photography interpreter, he was made a full partner, expanding the name to **Page Southerland Page**.<sup>1</sup> PSP projects include Medical Arts Square (1955), City National Bank (1971) at 823 Congress, Texas Engineers Registration Board Building (1978) at 1905 IH35 South, and InterFirst Bank-Oak Hill (1986).

The PSP firm revived its practice after World War II as campus architects for the University of Texas and Texas Woman's University and by designing an embassy in Mexico. Louis Southerland and others in the firm took pride in their personal interactions during this era with national leaders in architecture such as Eero Saarinen and Richard Neutra. PSP trained many young architects who would become leaders in Texas firms, including John Rowlett of Caudill Rowlett Scott in Houston and both Ed Beran and Overton Shelmire, who formed Beran and Shelmire in Dallas.<sup>2</sup>

The roots of Page Southerland Page may be found in an 1898 partnership between St. Louis born brothers **Charles Henry Page** (1876-1957) and his brother, **Louis Charles Page** (1883-1984). **Charles Henry Page Jr.** (1910-), who received his bachelor's degree in architecture from UT in 1932, became a partner in 1936. **Page Brothers** designed numerous public buildings in Texas, including the Chambers, Hunt, Fort Bend and Anderson County Courthouses as well as city hall buildings in Brownsville, Mexia and Eagle Lake. The Page Brothers' work includes the Austin National Bank (1930, razed 1956), the 1912/1915 Littlefield Building, the Travis County Courthouse (1930), and the Texas Building at the 1904 St. Louis World's Fair. After Louis' death, the firm's name changed to C.H. Page & Son.

## HISTORICAL NARRATIVE

### Neighborhood Context

Shoal Creek was the natural western boundary of Austin when Edwin Waller laid out the city's original one-square-mile grid in 1839. In order to found the City of Austin, the Congress of the Republic of Texas condemned the land in and surrounding the village of Waterloo in 1839, offering the former headright owners either money or land elsewhere in Texas as compensation. The lots inside the 1839 city plan, as well as "Outlots" beyond the "Original City" grid Waller established, were sold to the highest bidders. Those who purchased outlots in the future Judges'

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<sup>1</sup> Smith, Hank Todd, editor. *Austin: Its Architects and Architecture (1836-1986)*, Austin Chapter American Institute of Architects. Austin, Texas, 1986.

<sup>2</sup> <http://www.pspaec.com/index.php/the-story-of-pagesoutherlandpage.html> Accessed March 12, 2010.

Hill neighborhood included **Dr. Samuel G. Haynie**, a four-time mayor of Austin, who arrived in Austin in 1839 to practice medicine and by 1850 had purchased Outlots 10, 11 and 19.

The McClendon-Kozmetsky House is on the south side of Seventeenth Street, west of San Gabriel, in the Judges' Hill neighborhood, a few blocks northwest of the Texas State Capitol and southwest of The University of Texas campus. The neighborhood takes its name from the many judges and attorneys who built homes in the area, beginning in 1851, just after Austin was selected as the state capitol, by **Elijah Sterling Clack Robertson** (1820-1879), son of the empresario of Robertson Colony. Robertson's home, built on a bluff overlooking Shoal Creek, was followed by several more along West Avenue, the western boundary of the 1839 Original City of Austin.

Adjacent to the downtown business district, the homes near this street are some of the oldest in Austin and are in easy walking distance to the Capitol. Spanning a period from the 1850s through the turn of the century, the structures provide insight into the transitioning architectural styles and building materials of the time. There are at least three periods of activity in the Judges' Hill area. First is that beginning during the Republic and running through World War I, roughly 1840 to 1914. The style is reflected in Abner Cook homes like **Westhill** (1855, 1703 West Avenue), the **Denny-Holliday House** (1870, 1803 West Avenue), and other early buildings. With the Victorian era came a more formal regimen of manners and social style, reflected in homes of the time. A number of these have been lost. The second phase of development includes the period between the two world wars, 1914 to 1945. It includes primarily Italianate, Colonial and Classical Revival, and Arts and Crafts Bungalow styles. The third phase, following WWII, saw the addition of a few homes in the post-war Ranch and Mid Century Modern styles.

The Judges' Hill neighborhood continues to experience controversial revitalization and conversion of some single-family residences to professional offices. On West Avenue, for example, is a series of three modern apartment and condominium buildings that replaced exceptional historical homes, including two in the 1700 and 1800 blocks: the Richardsonian Romanesque **Edward Mandell House** home at 1704 West Avenue, built in 1891 and demolished in 1967, and the **Angeline Townsend-Thad Thomson** home at 1802 West Avenue, built in 1868 and demolished in 1962. Other "ghosts" of the Judges' Hill neighborhood include the 1882 home of Judge A.S. Walker and his son-in-law Rector Thomson at 1508 Rio Grande, the Chiles home at 1606 West Avenue, and the 1909 Haskell Caswell Jr. home at 1500 West Avenue, demolished by the widening of 15<sup>th</sup> Street, as well as the Frank Brown home that predated it.

The Judges' Hill Neighborhood Association is in the process of nominating the neighborhood as a City of Austin Historic District and National Register Historic District.

### **Property History**

The lots inside the 1839 city plan, as well as Outlots beyond the Original City grid Edwin Waller laid out, were sold to the highest bidders after the City of Austin was given authority to sell lots on September 3, 1850. Outlot 11 of the original City of Austin was first purchased from the State of Texas by **S. G. Haynie**, as noted on the Sandusky map of 1840/63 in the General Land Office.

**Dr. Samuel Garner Haynie** (1806-1877) was the son of Elizabeth Brooks (1787-1863) and **John Haynie** (1786-1860), pioneer circuit rider in the Austin-Bastrop area who established the first Methodist congregation in Austin in 1840. John's son **Samuel**, born in Tennessee, had come to Independence, Texas from Alabama in 1837, and in 1839 moved to Austin to practice

medicine. Samuel Haynie married Hannah Maria Evans (1818-1898) in February 1841; they had six children. By 1840 Dr. Haynie owned several properties in Austin, including Outlots 10, 11 and 19 in the neighborhood west of the Capitol.

Haynie represented Travis County in the Fifth Congress of the Republic (1840-42) and moved to Independence, Texas in 1842. He returned to Austin in 1845 as a representative from Independence, and was a Travis County representative in the Texas Legislature in 1847. Haynie was appointed postmaster from Aug. 15, 1846 to March 15, 1852.<sup>3</sup> He was elected Austin's mayor four times - 1850, 1851, 1863 and 1864. Haynie owned the **Austin Drug Store** in 1846, and in 1852 bought out the **Baker & Townsend** drugstore and established a large mercantile firm in his name at Fifth and Congress. Haynie bought a number of lots from the government and built several houses on them. Block 135 was to be the site for his future home, and there he "built fine new dwelling west of Capitol" in 1853, before financial difficulties at his mercantile company forced him to sell the house to its builder, Abner Cook, shortly after its completion. In 1867 Haynie owned and operated Avenue Hotel. In 1871 he graduated in medicine from the Medical Department of Soule University at Galveston and practiced medicine until his death. He was a personal friend and physician to Sam Houston.<sup>4</sup>

#### Outlots 10 & 11

Outlots 10 and 11 in Division E were sold to **S.C. Robertson** by Haynie in 1852. The **Reverend Charles Gillette** (-1869), a volunteer missionary to the Republic of Texas who in 1859 became the first rector of St. David's Episcopal Church, purchased Outlots 10 & 11 in 1858. Gillette died in Baltimore, Maryland on March 6, 1869. Gov. Pease mortgaged the property in 1879; it was released in 1890. Sixteenth (Cherry) Street had been cut through by 1890.

In 1905, **W. T. Watt** of Waco purchased from Gillette's heirs both blocks, from West Avenue to Shoal Creek between what would become 16<sup>th</sup> and 17<sup>th</sup> Streets, for \$7,500, and allowed his daughter **Annie Hale Watt** and her new husband, **James Wooten McClendon** (1873-1972) to build their foursquare Prairie Style home with Spanish Revival details on the west side of Pearl; it is now a City Landmark. The McClendon's home was designed by **Charles H. Page** (1876-1957), possibly with his brother **Louis Page** (1883-1934), who was first listed as an architect in a 1906 city directory. Watt deeded Outlot #11 to his daughter as a wedding gift in 1909.

The McClendons also built a house at 1603 Pearl in 1910 as a rental house, and are believed to have lived there while their own house was being remodeled; they moved back into their home in 1912, and 1603 Pearl became the St. David's Rectory, now a Historic Landmark. In 1935, they also built a rental house at 903 W. 17<sup>th</sup> (occupied by Judge Mac Taylor from 1937-45 and Justice Few Brewster from 1945-57) and, circa 1955, a new home for their retirement at 909 W. 17<sup>th</sup>. Their daughter Mary A. McClendon, who never married, was the first to be listed at the

<sup>3</sup> Barkley, Mary Starr. *History of Travis County & Austin 1839-1899*. Steck Co, Austin, Texas, 1967, p. 253.

<sup>4</sup> Rossman, Loyce Haynie. *Rev. John Haynie: Ancestry, Life & Descendants 1650-1963*

Fredericksburg, Texas, 1963, page 63 *Handbook of Texas Online*, s.v.

<http://www.tshaonline.org/handbook/online/articles/HH/fhabn.html> (accessed April 28, 2009)

Texas House of Representatives, Biographical Directory of the Texan Conventions and Congresses, 1832-1845.

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address, beginning in 1958; she continues to be listed at #909 W. 17<sup>th</sup> while her parents' address is changed from #909 in 1959 and 1960 to #1001 in the 1960 City Directory. Below the bluff rim of their 17<sup>th</sup> Street property, the McClendons built a home as a wedding gift for their daughter, Elizabeth McClendon Knight, at 1603 Shoal Creek Boulevard.

In an interview by Hildegard Stjepcevic from the Austin History Center on November 12, 1969, Judge McClendon noted that his father-in-law, Mr. Watt, gave the newlyweds eight acres from West Avenue to Shoal Creek Boulevard between 16th and 17th Streets. Watt had purchased the land from "the heirs of an Episcopal minister who was here before the Civil War, and he was a Northern sympathizer and got out with the Bishop and he went back--went up to New York. I forget his name now. But he had sold off a quarter of a block there on 17th Street to E.M. House, where House had his servants' quarters and garden and he kept a horse. House used to roam all over those places there on horseback." Judge McClendon went on to say that he and his wife took the back part of the land and "we cut Pearl Street through."

### **1001 West Seventeenth Street**

The home at 1001 West 17<sup>th</sup> Street, just west of the McClendon's first home, was begun in 1955 by retired Chief Justice of the Civil Court of Appeals, **Judge James Wooten McClendon** and his wife **Anne Hale Watt**. The couple moved here from The Towers, a home they built on 12 acres overlooking Lake Austin, which is now utilized as the Westwood Country Club.

According to Robert Knight, the home was built with an attached apartment for a spinster daughter, and is listed as a duplex in city records dated 1955<sup>5</sup>. The address of the apartment, 909 W. 17<sup>th</sup> Street, later incorporated into 1001 W. 17th in TCAD records, is currently rented to a visiting professor from UT's business school.

Daughter Elizabeth McClendon Knight's initials "E. McC. K." and the date "8/18/55" were marked in the wet garage slab in 1955. The lot was the original location of the family's horse corral; the current owners found several very old, rusty horseshoes were found on the grounds. The McClendons lived in the home until Anne McClendon's death in 1964. Judge McClendon continued there until 1966, when he moved into the new Westgate Tower at 1122 Colorado Street. His grandson Robert E. Knight is listed in the apartment as a student in city directories for 1964 and 1966.

In December of 1966, McClendon sold the home to **Ronya and George Kozmetsky**, who lived in the home from early 1967 until September of 2002. In 1985 the Kozmetskys hired **Roland Gommel Roessner** (1911-2001), a UT architecture professor (1948-78+) who had built their RGK Foundation Building on San Gabriel Street in 1980, to renovate the home and add a swimming pool in the back garden, and later to add a library to the house. The library was added at the back of the west façade. George wanted this study as a private, relaxing space where he could receive students and colleagues away from campus. He had a dumb waiter built to retrieve documents from a basement vault. The library eventually proved pivotal to Austin's position in the new age of computers. In the 900-square foot wood-paneled room, Dr. Kozmetsky served as mentor to **Michael Dell**, whose dorm room electronics business had grown rapidly since leaving

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<sup>5</sup> From a City of Austin record "provided by Nora as evidence of duplex zoning": J.W. McClendon, 909 W. 17, #89, \_\_\_ bedroom duplex with att. 2-car gar., #60929, June 24, 1955. \$30,000. Frank Sefcik #19.

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UT. No name is listed in the City Directory at either 909 or 1001 W. 17th from 1996 through 2003, but according to their son, Greg Kozmetsky, the Kozmetskys continued to live in the home until their move to a Nokona condominium in September of 2002. The house was donated to the RGK Foundation in 2002 as a charitable contribution, and sold in March of 2004.

**Joseseoh Lolacano** purchased the home in April 2004 and is listed in the 2005 City Directory as the resident. By July 2006, the property had deteriorated as a rental/flip when it was purchased by the current owners, Jay Tassin and Brent Danninger, who spent three years restoring the house and grounds.

## BIOGRAPHIES

1955-1966: **Judge James & Annie Watt McClendon**, were the builders and original owners of the home. James Wooten McClendon (1873-1972) was born in West Point, Georgia. His father was a merchant and mayor of West Point. In 1889 his widowed mother moved her five children to Laredo, where she worked for 21 years as a missionary. McClendon worked for three years in a dry goods store in Laredo before he graduated from The University of Texas at Austin (1895), managed the Longhorn football team in 1896, and became a member of the first graduating class of the UT Law School (1897). He married Anne Hale Watt (1880-1964) on December 14, 1904. They had two children, Mary Anne McClendon and Elizabeth M. Knight.

McClendon practiced law in Austin for 21 years, serving as president of the Travis County Bar Association in 1912-13. In 1918 he was appointed by Gov. Hobby to the Texas Supreme Court Commission of Appeals, where he served for five years, the last two as chief justice (1918-1923). In 1923 he was appointed Chief Justice of the Texas Court of Civil Appeals, Associate Justice of the State Supreme Court, where he remained until his retirement in 1949. In 1929 McClendon proposed the formation of the Texas Judicial Council. He also served on an advisory committee appointed by the state Supreme Court to revise the rules of civil procedure.

As chief justice of the Court of Civil Appeals in 1948, McClendon presided over the landmark case *Sweatt v. Painter*, in which Heman Marion Sweatt, a black postal employee, charged that he was denied entry to the UT law school because of his race. McClendon ruled against Sweatt and upheld the state's "separate but equal" provisions in state schools; his decision was overruled by the United States Supreme Court in 1950, with Thurgood Marshall arguing for Sweatt.

McClendon was a friend and attorney of Elisabet Ney during her 15-year stay in Austin; he established a foundation to support the Elisabet Ney Texas Fine Arts Association. He served as the first president of the Texas Fine Arts Association (1911-17, and 1928-32, 1937-38). He served as acquisitions chairman for the Laguna Gloria Art Museum, where he established its permanent collection. He was president of the Austin Symphony Society and active with the Austin Ballet. As a Texas Alumni, he served on committees that helped build Gregory Gym, Memorial Stadium, and Kirby Hall, and chaired the building committee for the University YMCA.

Judge McClendon was a Democrat, a Grand Master Mason, an Elk, Rotarian, and Shriner, and served for over 40 years on the board of directors of the Scottish Rite Dormitory.<sup>6</sup> He was a charter member of the Heritage Society, drawing up its constitution in 1953. Following his

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<sup>6</sup> McClendon biographical file, Austin History Center. Mc-Clendon Price House nomination for City of Austin Historic Landmark.

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wife's death, Judge McClendon moved to the new Westgate Towers in 1966. He died at the age of 98 and was buried in the Texas State Cemetery.<sup>7</sup>

**1852: Elijah Sterling Clack Robertson (1820-1879)**, famous early Texas attorney and politician, built the first home in the Judges' Hill area in the heart of woodland near the corner of 18th and San Gabriel. Judge Robertson was the first among neighborhood resident judges, politicians and attorneys who earned the neighborhood the name of Judges' Hill. The only child of S.C. Robertson, Empresario of Robertson's Colony, he came to Texas with his father at the age of 12. His father took him to San Antonio to learn Spanish from the Catholic priests for two years. He then served as clerk of the land office of Robertson's Colony from 1834-35, translating land records into Spanish. From this time until the Spring of 1836 he was on the frontier defending the settlements against Indians. Following two years of study in Tennessee, E.S.C. Robertson came to Austin at the age of 19 in 1839 – the year Austin became the capital of Texas.

He was appointed a clerk in the post office of the Republic and, after the Postmaster's death, became the acting Postmaster General for three months. He was elected and served as Secretary of the Senate of the Republic of Texas in 1840-41, resigning in the spring of 1842 to command a company in the Somerville campaign to push the Mexican troops of Rafael Vasquez back to the Rio Grande. E.S.C. had spent much time with his father as a translator and writing land grants, skills that would become important when he was admitted to the Texas bar in Austin in 1845, the year following his appointment as Colonel of the Second Regiment of Militia by Sam Houston. Between 1848 and 1853 he served as a Spanish translator in the General Land Office. In 1854 he shifted his interest to his large plantation in Salado, which he operated from 1854 to 1860 with the help of slaves. Following service in the Civil War, he returned to Austin in 1874, after the carpetbagger government was overthrown, to draft the new 1875 State Constitution of Texas that is still used today.

**1966-2002: Ronya and George Kozmetsky** were both born to Russian immigrants who settled in Seattle. Dr. Kozmetsky (1918-2003) received his bachelor's degree in political science from the University of Washington (1938) at the age of 20, subsequently serving in the Army Medical Corps during World War II. He later earned an M.B.A. (1947) and a Doctor of Commercial Science (1957) from Harvard University. He taught at the University of Washington (1940-41), Harvard Graduate School of Business Administration (1947-50), and Carnegie Mellon University's Institute of Technology Graduate School of Industrial Administration in Pittsburgh (1950-52) before entering the business world.

After working as an executive at Hughes Aircraft Company (1952-54) and Litton Industries (1954-59), Dr. Kozmetsky co-founded Teledyne, Inc. (1960), a California-based defense electronics firm which grew into a conglomerate of some 130 companies. He was the only Austin resident on the Forbes 400 list in 1985, when his Teledyne stock alone was worth some 250 million dollars.

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<sup>7</sup> Austin *American*, January 10, 1972. Deborah D. Powers, *The Court of Appeals at Austin, 1892-1992* (Austin: State House Press, 1992). *Who's Who in America, 1960-61. Handbook of Texas Online*, s.v. "MCCLENDON, JAMES WOOTEN," <http://www.tsha.utexas.edu/handbook/online/articles/view/MM/fmc13.html> (accessed February 8, 2005).

George and Ronya moved their family to Austin in 1966 when he became Dean of the School of Business at the University of Texas in Austin (1966-1982). He was a professor in the Management and Computer Sciences Department at UT, and a clinical professor in Bio-Engineering at the UT Medical School in San Antonio. The Kozmetskys bought the house on 17<sup>th</sup> Street to be close to UT, and because Ronya was drawn to the centuries-old live oak that dominates the front yard. After their daughter was diagnosed with scleroderma at the age of 17, they established the RGK Foundation (1966), initially to spur medical research for scleroderma. RGK continues to provide funding for diverse causes including medical and economic research as well as numerous local charitable causes. Ronya and the Kozmetsky children (Gregory Kozmetsky of Austin and Nadya Scott of Santa Monica; George Jr. died at the age of 19 in 1972) and grandchildren continue their legacy of generosity and economic development today.

Dr. Kozmetsky grew the UT business school from 3,600 students in 1967 to more than 11,000 in 1982. He enlarged its faculty from two professors to 51, with four privately endowed chairs, 39 faculty fellowships and five lectureships, putting it on the map as a major school of business. He renovated two buildings and built the **George Kozmetsky Center for Business Education** at a cost of \$36 million. He was appointed to the J. Marion West Chair for Constructive Capitalism in 1977, and in 1982 he resigned after 16 years as dean to devote more time to the Institute for Constructive Capitalism (IC2), a center for technology entrepreneurship and research. He assisted more than 100 technology companies in their development, and served on the boards of Dell, Gulf, La Quinta Motor Inns, and Wraether, Heizer and Datapoint Corporations. He helped bring venture capital to Austin and generated the technical revolution that followed. He was awarded the National Medal of Technology in 1993 by President Bill Clinton.

**Ronya Keosiff Kozmetsky** (1921-) was born in Harbin, China to Russian parents, and immigrated to Seattle with her family when she was quite small. She received her B.A. in sociology from the University of Washington (1943), and earned secondary teaching credentials from U.C.L.A. (1961). She taught high school history and social studies in Los Angeles before entering the business world by managing the family's financial affairs when her husband was named dean. In Austin, she served as an advisor to the wives' clubs of both graduate and undergraduate students at UT, and together with her husband taught a noncredit Executive Futures Seminar for graduate business students and their spouses, an expanded version of which produced *Making It Together – A Survival Manual for the Executive Family*, a practical guide to coping with life in the fast lane. She served as vice president of KMS Ventures in Austin, and was secretary of two firms in Los Angeles: KozDe Enterprises and Arrowsmith Industries. She was also a director of the First Women's Bank in Los Angeles and of the American Bank in Austin, and served as president, treasurer and trustee of the RGK Foundation. A supporter of the Texas Foundation for Women's Resources, she was an early advisor and benefactor for the Foundation's Women in Texas History project, which resulted in the exhibit "Texas Women – A Celebration of History," which traveled to the state's major museums and was viewed by over a million Texans and is now on permanent display at Texas Women's University in Denton. Ronya advised, encouraged and was often a speaker for Leadership Texas, a project of RGK Foundation. She was named to the Governor's Task Force for Equal Opportunity in Employment for Women and Minorities in 1981-82, and was a member of the State Treasury's Asset Management Committee. She also served on the board of directors for the Austin Symphony, the Austin Mental Health Association, the board of trustees of Huston-Tillotson College and the

Keystone Foundation for environmental studies in Colorado, and the advisory board of the Austin Women's Center.

"Architect **Roland Gommel Roessner** received his bachelor of architecture degree from Miami University, Oxford, Ohio, in 1935 and his master's from the University of Cincinnati in 1942. After serving in World War II, Roessner practiced in St. Petersburg, Florida, before joining the faculty of the University of Texas School of Architecture (UTSOA) in 1948. Roessner, who successfully combined teaching with a professional career, realized the importance of integrating practical experience with a strong theoretical foundation. He was responsible for establishing the school's Professional Residency Program, which provided the students with on-the-job training within the profession before the completion of their degrees. Roessner's early use of computers to augment teaching included a project for teaching management processes in architecture. Roessner's ability to create spaces that preserved the client's privacy while maintaining an openness in plan garnered for him numerous design awards. His graceful design for the George Thorne House (1953) received *Newsweek*'s 1955 House of the Year Award. His talent for flexible planning on restricted sites is perhaps best illustrated by The Oaks Apartments (1962) which provided each apartment, grouped around an intimate, secluded courtyard, with its own private balcony and view. This sensitive project, which carefully preserved the site's beautiful oak trees, received an AIA Award of Merit in 1965. Roessner's other projects included the Foster Residence (1963), the RGK Foundation Building (1980), and the Southwestern Bell Telephone Building in Corpus Christi (1981). Roessner was named professor emeritus in 1983 and an endowed Centennial Professorship was established in his name at the University of Texas at Austin. He is an AIA Fellow." -*Lila Stilkson, From: "Texas 50." Texas Architect (Nov./Dec. 1989): p. 69.*

#### **Current Owners: Brent Danninger and Jay Tassin**

**Brent Danninger** was born and raised in southern California and earned philosophy and economics degrees from Stanford University. He started a litigation economics consulting firm in Palo Alto in 1982 and sold it in 1994. He teaches Aikido (a martial art) at UT Austin and enjoys historic preservation work, particularly woodwork. He has done much of the hands-on restoration work on the subject property.

**Jay Tassin** was born and raised in Baton Rouge, Louisiana, and received his MD from UC San Francisco in 1988. He trained at Stanford and worked at Cedars-Sinai in Los Angeles, then at Hoag Hospital in Newport Beach, California. He learned computer drafting at ACC and then entered architectural graduate school at UT in 2006. He enjoys preservation work and developed the AutoCAD plans and computer renderings for the restoration of the subject property.

In 2009 Jay developed a 3-D model of the forming Judges' Hill Historic District to demonstrate the effect of the initial Downtown Austin Plan Density Bonuses proposal on adjacent historic homes. After reviewing the model, residents fed back to city officials, who then developed a more neighborhood-specific proposal that will buttress the long-term viability of the district. Tassin states: "Our urgency to apply for Historical Landmark status stems from comments by City Council members about the need for historic documentation to legitimize their help in preserving our area. Several stated that they could have supported us in denying VMU status for the Inn at Pearl Street, portions of which date to the 1800's, if we'd already formed our Local Historic District. I've spent much of the past year mediating a solution for our area within the Downtown Austin Plan, to avoid crowding these historic homes with immediately adjacent

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tall commercial development that renders them undesirable and thus candidates for the wrecking ball."

## **CONCLUSION & JUSTIFICATION**

The McClendon-Kozmetsky House merits historic landmark status as a Mid-Century Modern Ranch style home as well as its importance to the City of Austin as the home of the prominent McClendon and Kozmetsky families.

The home continues to serve as a residence in a neighborhood where homes are increasingly utilized as businesses. The lot is large enough that a future owner could replace it with a 12,000-square foot home, despite the McMansion ordinance, but a historic designation would preclude that and help preserve the home and the integrity of Judges' Hill for the longer term.

The integrity of the home's exterior, as well as its interior, has been beautifully maintained and deserves preservation with status as a City of Austin Historic Landmark. The Judges' Hill Neighborhood Association supports the inclusion of this home into a future City of Austin and National Register Historic District.





## Memorials

### JAMES W. MCCLENDON



James Wooten McClendon, 98, a chief justice of the Third Court of Civil Appeals in Austin for 26 years, died Jan. 9, 1972.

Since the Spring day in 1897 when he was involved in the first violent confrontation between the University of Texas administration and students, Judge McClendon had played a prominent role in Austin history.

Born Nov. 1, 1873 in West Point, Ga., the judge's interest in law was first sparked in 1886 when he viewed a criminal trial in a one-room West Point schoolhouse.

In 1889, he moved to Laredo where his widowed mother began a 22-year service as a missionary at Mexican Border Mission. There, he worked as a clerk in El Precio Fijo (The Fixed Price), before his brother-in-law, the late Austin attorney Clarence Miller, persuaded him to move to Austin and study law.

Arriving as a freshman at the University of Texas in 1892, Judge McClendon earned a B.Lit. degree in 1896 and an LL.B. in 1897, the year he passed the bar. While a student, he managed the 1896 football team, was an editor on the Texas Law Review and member of Order of the Coif.

The confrontation at UT arose out of President George Winston's refusal to make Texas Independence Day a holiday. The law students, deciding to make it one anyway, cut class, celebrated at Scholz Garten and marched to the Capitol and to borrow a cannon. They fired the empty cannon at the Main Building, and later, learning that President Winston had retired to his home, forced him to return and make a speech on the steps of the Main Building.

As a member of his brother-in-law's law firm, Judge McClendon became acquainted with Austin sculptress Elisabeth Ney, one of his more famous clients. One of his unaccomplished goals was to return her Lady Macbeth (housed in the National Museum, Washington, D. C.) to Austin.

Judge McClendon remained in private practice until 1918, when he was appointed to the Supreme Court Commission of Appeals by Gov. William P. Hobby Jr. In 1923, he was named chief justice of the Third Court of Civil Appeals, a post he held until Jan. 1, 1949.

His most famous decision, later overruled by the U. S. Supreme Court, was the case of *Heman*

*Marion Sweatt v. The University of Texas*. The high court ruled that the separate law school set up for the Negro postal employee, represented by Thurgood Marshall, was not "equal" to the UT Law School because it lacked, for one thing, the traditions of the established school.

Judge McClendon was a past president of the Travis County Bar and the Association of Judges of Courts of Civil Appeals of Texas, and former chairman of the National Conference of Judicial Councils. He had been a member, ABA House of Delegates; chairman, ABA Section of Judicial Administration; director, American Judicature Society; and member, American Association of Legal Authors, Texas Supreme Court Advisory Committee on Civil Procedure Rules and Texas Judicial Council.

Instrumental in organizing the Texas Fine Arts Association, he served as its first president from 1911 to 1917 and later during 1928-32 and 1937-38. In 1971, he established the Elisabeth Ney Texas Fine Arts Association, McClendon Foundation.

His busy career as a Mason, begun in 1908 as a member of Hill City Lodge No. 456 in Austin, included membership in many Austin bodies and service as Grand Master of Masons in Texas in 1931. He was made a Knight Templar in Colorado commandery No. 4 in 1917.

He received his Scottish Rite degrees in 1909 and was awarded his 33rd degree in Washington in 1917. Judge McClendon was a Shriner of Ben Hur Temple; member, Austin Chapter No. 304, O.E.S.; charter member, St. Austin Conclave, Red Cross of Constantine; and member of the Royal Order of Scotland.

He had served as a director of the Scottish Rite Educational Association and the Scottish Rite Hospital for Crippled Children, and as board chairman of Scottish Rite Dormitory for many years.

He had also been a member of numerous other organizations including Town and Gown, The Philosophical Society of Texas and Sigma Alpha Epsilon Chapter House Association.

Active and optimistic until his death, Judge McClendon had already planned the party for his 100th birthday, which would have been Nov. 1, 1973, and had invited anyone "who thinks he is a friend of mine."

Judge McClendon is survived by two daughters, Mary Ann McClendon and Mrs. Frank Knight, 2813 Woodlawn, Austin; a brother, Dr. Jesse F. McClendon, Norristown, Pa.; a sister, Mrs. John Marshall, Hubbard Woods, Ill.; two grandchildren and three great-grandchildren. Austin attorney Robert E. Knight is his grandson.

(Continued on next page)

Judge James W. McClendon

James W. McClendon was born on November 1, 1873, in West Point, Georgia. His father died when James was eight years old, leaving a wife and five children. The family had been living on the Georgia side of the Chattahoochee River on a forty-acre farm, but soon after the father's death, the mother moved her family to town on the Alabama side of the river.

In the same block in which the McClendon family lived, there was a one-room school house in which Miss Angie Wilkerson conducted a private school. On Saturdays, the local justice of the peace would hold court in this little school house, and James and some of his friends sometimes stood outside and watched the proceedings through the windows. It was under these conditions that he decided that he wanted to be a lawyer, and from the time he was twelve years old he planned in this direction.

After the death of his father, his mother---always interested in mission work--- decided to become a missionary. When the Woman's Board of Missions of the Methodist Episcopal Church, South, met in Little Rock, Arkansas, in 1889, she was present and volunteered for mission service. Church leaders were reluctant to assign a widow with five children to any missionary enterprise. To overcome their reluctance, she asked that she be granted ten minutes in which to speak to the church body. The request was granted and this resulted in her being accepted for missionary service. She was assigned to Laredo, Texas, to work under the direction of the Mexican Board of Missions of the Methodist Church. She arrived in Laredo in August 1889 and remained on this assignment for twenty-one years, two of which were in Guadalajara where she established a mission school. Her work in Laredo was at what was originally known as the Laredo Seminary. However, in the early 1880's, Misses Nannie and Delia Holding went from Kentucky to Laredo and were able to develop the Seminary into a very fine school; hence, the school's name was later changed to Holding Institute which name it still bears.

James, who was sixteen soon after the family moved to Laredo, stayed out of school for three years and worked as a clerk in a dry goods store. His oldest sister, who was about eighteen months older than he, was sent back to Georgia where she attended Wesleyan Female College in Macon. After her graduation from this institution, she taught for a time in a mission school in Saltillo. Later she returned to Laredo where she taught in the public schools.

On one occasion when a young lawyer of Austin, Clarence Miller, visited his friend, Marshall Hicks, in Laredo, he met the McClendon daughter. This meeting led to their marriage not many months later in December, 1890.

James, whose early education had been obtained in the public school at West Point, Alabama, had planned to go to Emory University in Georgia. However, his new brother-in-law advised him to come to Austin and attend the University of Texas. In 1892, a **SCANNED** before he would be taking entrance examinations, he gave up his job



with El Precio Fijo, the dry goods store, and began preparing for these examinations. Latin and mathematics proved to be his hardest hurdles. But he "made the grade" and entered the University of Texas for the first time in September 1892. In June 1895, he was awarded a Bachelor of Literature Degree by the University and in 1897, he received the Bachelor of Law Degree.

Judge McClendon says he had fun during his years at the University and no one who listens to his account of his experiences there would doubt this. He recalls that Congress Avenue was not paved then and that the street railway system was quite new at that time. The dam was completed in 1893, and it was "wise-cracked" around during 1892 that the people of Austin had practically gone "dam crazy". On April 7, 1900 the dam was washed out. Judge McClendon has written a historical sketch about the dam which is now being printed and he says the Library may have a copy when it is available. He pointed out that Walter Long has written a history of the dam under the title "From Flood to Faucet."

Judge McClendon, a long time Mason, played an important role in getting Scottish Rite Dormitory built. In the spring of 1920, Scottish Rite Masons took the first steps toward getting the dormitory built and from the very beginning, Judge McClendon was on the Board of Directors. At the suggestion of Dr. Robert E. Vinson, president of the University, the Masons rented the Presbyterian Seminary for \$5000 a year and operated a Girls Dormitory in Lubbock Hall and also in Driskill Hall for two years. This was done as an experiment and it proved so successful that plans were set in operation for the building of Scottish Rite Dormitory. It was Judge McClendon who made the necessary negotiations for securing the ground the dormitory is on, the land being obtained from the Whitis family and the family of Judge Key.

According to Judge McClendon, it was a blunder not to move the University to the Brackenridge Tract. Before January 1921, Dr. Vinson went to Judge McClendon and told him that the Board of Regents wanted such a move. The compromise plan which was developed required a guarantee from a group of Austin citizens that 135 acres of land adjacent to the campus should be made available to the University. A dozen or more men gave such a guarantee.

After completing his law work at the University, James McClendon went into the law office with his brother-in-law, Clarence Miller, and remained there until 1918. In that year he was appointed to serve as a judge on the Supreme Court Commission, which position he held for five years. On December 1, 1923, he became Chief Justice of the Court of Civil Appeals and served in this capacity until his retirement on January 1, 1949.

When asked how he met the girl who later became his wife, Judge McClendon gave a brief bit of history of her family. Her father, William T. Watt, lived in North Carolina near Statesville. He was in the Confederate navy and was captured, and at the time the war ended he was in a federal prison. After he

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came to Texas, first to Bastrop and later to the Hearne and Fort Sullivan community on the west bank of the Brazos River on the road between Cameron and Hearne. There he married a girl named Ferguson. Their daughter, Anne, was born in Hearne. Then when the little girl was only six years old, the young mother died. Mr. Watt moved to Waco with his two little girls when Anne was ten. Later Anne was sent to Stanton, Virginia, to a school that was first known as the Virginia Female Institute and then later as Stuart's Seminary when the widow of General J. E. B. Stuart of the Confederate army became head of the school. Mr. Watt never married again. In the summer of 1901, he and his two daughters went to Michigan on a vacation trip. Judge McClendon's sister, Mrs. Miller, and her husband were also vacationing in Michigan at that time and the two families came to know each other very well. So warm was the friendship that developed that the Watt girls were invited to visit the Millers in Austin the next summer. It was then that James McClendon met Anne Watt whom he married in 1904.

(This information is based on two interviews I had with Judge McClendon: August 11 and September 7, 1964.)

Mattie Lee Seymour

September 10, 1964

**George Kozmetsky, 89, Dean And a Co-Founder of Teledyne**  
**Published: Wednesday, May 7, 2003**

George Kozmetsky, co-founder of the conglomerate Teledyne and a lifelong educator who used his work and philanthropy to bring industry and academia closer together, died last Wednesday in Austin, Tex. He was 85. The cause was a heart attack, his son, Gregory, said.

Over the course of his life, Dr. Kozmetsky repeatedly moved between boardrooms and business schools. Known for 18-hour workdays that began at 4 a.m., Dr. Kozmetsky was active to the end, his son said, meeting with representatives from Mexico's government on the Friday before he died and holding conference calls from his apartment over the following few days.

Teledyne, his best-known business venture, was started in 1960 as a \$550,000 joint investment with Henry E. Singleton, a colleague from Litton Industries, then a small electronics company. With Dr. Kozmetsky as executive vice president, Teledyne grew into a conglomerate of some 130 companies, making everything from stereo speakers to airplane parts.

After six years at Teledyne, Dr. Kozmetsky left to become dean of the business school at the University of Texas at Austin, a position he held for 16 years. His move from Teledyne to Texas, he said at the time, reflected his lifelong philosophy that the academic and business worlds needed to work in better concert. He envisioned "a cross-breeding of engineering and the humanities to bring about the complete man -- the so-called Renaissance man that was the strength of the 16th century," he said in an interview.

At about the same time, he and his wife, Ronya, established the RGK Foundation, which now has assets of about \$103 million and has awarded \$20 million over the last three years. Last month, the couple donated \$6 million to set up a technology alliance between the University of Texas and Stanford University.

Born in Seattle to Russian immigrant parents, Dr. Kozmetsky graduated from the University of Washington at the age of 20 and subsequently served in the Army Medical Corps during World War II. He then earned an M.B.A. and doctorate in commercial science from Harvard. His academic career included teaching positions at Harvard University and Carnegie Mellon University in Pittsburgh.

In 1952, he joined the Hughes Aircraft Company, where he spent three years before moving to Litton. At the University of Texas he also served as the executive associate for economic affairs. In 1977, Dr. Kozmetsky founded the IC2 Institute, a center for technology entrepreneurship and research. Over the years, more than 100 technology companies received Dr. Kozmetsky's assistance in their development, and he served on the boards of Dell, Gulf, Heizer and La Quinta, among others.

In 1993, he was awarded the National Medal of Technology by President Bill Clinton.

In addition to his son, Gregory, of Austin, and his wife of 59 years, Ronya, Dr. Kozmetsky is survived by his daughter, Nadya Scott of Santa Monica, Calif.; seven grandchildren; and four great-grandchildren. Another son, George, died in 1972. Gregory Kozmetsky said of his father: "I think my dad always felt that, first and foremost, he was a teacher, and his legacy is his students across the world." He added that his father would want those students to appreciate the connections between business and academia, technology and philanthropy. "Everybody that he met automatically got his respect, and they had to work to lose it," Mr. Kozmetsky said. "He honestly felt that the world could be a much better place if everybody could work together and listen."

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# UT FACULTY-STAFF INFORMATION

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THE UNIVERSITY OF TEXAS

Information Service

Box 2, University Station, Austin, Texas 78712

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Dr. George Kozmetsky became dean of The University of Texas College of Business Administration and Graduate School of Business in September, 1966.

He came to UT Austin following a six-year association with Telenyde, Inc., a California-based electronics firm of which he was co-founder and executive vice president.

In addition to the deanship, Dr. Kozmetsky holds the academic rank of professor in the Management and Computer Sciences Departments at UT Austin and of clinical professor in the Bio-Engineering Department at the UT Medical School in San Antonio.

He also serves the UT System as executive associate for economic affairs conceiving and developing long-range plans and studies regarding the development and management of the economic resources of the UT System.

Dr. Kozmetsky's professional specialties include system analysis, organization theory, quantitative methods, information handling, application of digital computing techniques and system management.

He has had wide experience both in academic and business fields.

He formerly taught at the University of Washington (1940-41), Harvard Graduate School of Business Administration (1947-50) and Carnegie Institute of Technology Graduate School of Industrial Administration (1950-52).

Dr. Kozmetsky entered the business world in 1952 as a senior member of the technical staff in the advanced electronic laboratory at the

(more)

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2--UT--Kozmetsky

Hughes Aircraft Company. He joined Litton Industries in 1954, serving for five years as director of the computers and controls laboratory in the electronic equipments division and one year as vice president and assistant general manager of that division.

In 1960, he and a Litton associate founded Teledyne, Inc., in Hawthorne, Calif., an enterprise which has become a major company in the defense electronics industry.

A native of Seattle, Wash., Dr. Kozmetsky received a Bachelor of Arts degree in political science from the University of Washington (1945), and Master of Business Administration (1947) and Doctor of Commercial Science (1957) degrees from Harvard University.

He is a former president of the Institute of Management Sciences and a member of the American Statistical Association, American Institute of Certified Public Accountants, Case Institute of Technology advisory board, British Interplanetary Society (Fellow), World Future Society and American Society of Oceanography.

Currently, he is a consultant to the Institute for the Future and serves on the board of directors of a number of banking and business enterprises.

Dr. Kozmetsky is a former consultant to the NASA management advisory panel and has served as a member of the Presidential advisory committee on the National Data Center. He also has been a consultant to the U.S. Air Force scientific advisory board.

His published works include "Electronic Computers and Management Control" (co-author), "Centralization vs. Decentralization" (co-author) and "Financial Reports of Labor Unions."

Dr. Kozmetsky is married to the former Ronya Keosiff, and they are the parents of two children.

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To the members of the Historic Landmark Commission of the City of Austin:

One of the major concerns of The Judges Hill Neighborhood, the only remaining predominantly residential neighborhood in downtown Austin, is to preserve its historic roots and, in so doing, the historic roots of the City of Austin. With their applications for historic status for their homes, the owners of the above-referenced properties, Megan Matsen Meisenbach and Jay Tassin, have stepped forward to help lead this struggle at a critical time in our city's history. As we once again face pressures for rapid downtown development, I want you to know that their applications have the overwhelming support of their neighbors in the Judges Hill Neighborhood. We hope that the Historic Landmark Commission will look favorably on their applications and in so doing transform their homes from mere personal assets to assets also for the history of the City of Austin and for our historic neighborhood.

Thank you for your consideration.

Ben Schotz, President of the Judges Hill Neighborhood Association

Landmark Commission

City of Austin

RE: Support of Applicants for Landmark Status

- 1) McClendon-Kozmetsky House at 1001 W 17th
- 2) Matsen House at 1800 San Gabriel

Dear Landmark Commission Chair, Members, and Preservation Officer:

As owners of the mid-century modern Granger House and Perch, a national, state and city landmark, we are very sensitive to the need to preserve mid-century modern architecture and design within the City of Austin. This particular style of architecture is often under appreciated and susceptible to demolition.

As residents of the Judges Hill Neighborhood, we as well as others across the nation have come to appreciate the diversity of architecture that is contained within this last remaining garden district in the City of Austin. There is discussion about a possible homes tour of our neighborhood by the National Historic Trust during its fall conference in 2010 hosted in Austin.

Both homes listed on this communication are worthy of historic designation and deserve your full support.

Very truly yours,

Jeff Harper and Mark Seeger

The Granger House and Perch

805 W 16<sup>th</sup> Street

Austin, Texas 78701-1519

Dear Mr. Sadowsky,

The history of Judges' Hill Neighborhood is intertwined with many connections to Anne and Judge James Wooten McClendon, (1873 to 1972). He served as Associate Judge of the Texas Supreme Court and Chief Justice of the Court of Civil Appeals and owned a large area of land between West Avenue and Shoal Creek, near 15th Street.

The McClendons built 3 houses in the Judges' Hill Neighborhood including in 1906 the prairie, Spanish revival style McClendon-Price home (at 1606 Pearl). As a house to rent, they built the colonial, revival style Rectory of 1914 (at 1603 Pearl) both houses are City Landmark homes. In 1955 the McClendons built and lived in the modern ranch style house at **1001 West 17<sup>th</sup>**, which was later purchased by Ronya and George Kozmetsky. These three homes illustrate the diversity of styles in the neighborhood that surrounds them.

Presented to the Historic Landmark Commission on April 26<sup>th</sup>, the McClendon's last house is an anchor point for the preservation of Judges' Hill. The **property (C14-2010-0013)** is particularly vulnerable to destruction and development because of its large lot and its proximity to the office building below it on Shoal Creek Blvd.

Flanked by the 1928 Mediterranean style Ewell Nalle house and by the 1935 colonial, creole Taylor-Brewster house the **McClendon-Kozmetsky** home is definitely part of Judges' Hill's story. This story of Judges' Hill, the only surviving historic downtown neighborhood of homes, cannot be told without the mid-century **McClendon-Kozmetsky home**. Its practical cooling features and placement on the property behind its important huge live oak tree make it a model for green building.

The neighborhood is full of history, but it is constantly of interest to developers which leads to city planning maps showing this area with DMU zoning, suitable for 60 foot buildings with possible cocktail lounges and funeral parlor, etc. Having a home Landmark designated, seems to be the best way to help preserve this neighborhood, a valuable asset to the city.

Thank you for your efforts to preserve the history of Austin.

Sincerely, Megan Meisenbach

Please consider this email as support for the historical zoning of the Kozmetsky-McClendon House at 1001 W. 17th. My family is privileged to live in the historic Judges' Hill neighborhood, and we want to support all efforts to preserve the beauty and historical character of urban area. In keeping with the neighborhood strategy to some day become an historic district, the owners of the Kozmetsky-McClendon House are making application for historic zoning.

The Kozmetsky-McClendon House is qualified for a myriad of reasons that include, but are not limited to:

Landmark designation will help protect this mid-century home and its surrounding neighborhood from developer pressure to raze structures on large lots. Judges' Hill has become, as a result of preservation efforts like this, an irreplaceable asset as downtown Austin's own historic garden district.

- Judge McClendon, Chief Justice of the Civil Court of Appeals and attorney to prominent local sculptor Elisabet Ney, received his UT law degree in 1898. He had this one-story home built for his final years, and while here was active in many civic positions and as a patron of local arts.

- UT Business School Dean George Kozmetsky, with critical support from his wife Ronya, built the school into one of national importance during his stewardship. Their extraordinarily generous gifts to the school and to Austin through their RGK Foundation continue to do good and inspire other local philanthropy. Dr. Kozmetsky founded the IC<sup>2</sup> (Innovation, Creativity & Capital) Institute at UT where it has served as a technology incubator and helped set the stage for Austin as a high-tech center of excellence. A lifelong educator, he had the library added to the home, where he served as mentor to students including Michael Dell.

- The house, designed by Page Southerland Page, was built in 1955 as an early "passive" solar design. Its east-west orientation, with deep southern eaves, no northern eaves and deciduous trees to its east and west, reduces summer heat gain while optimizing northern and winter natural light. Its steep-pitched metal roof, carefully insulated ceiling and round gable vents combine with a series of fans to draw air from shaded areas through the attic to prevent superheating during hot weather. The use of Austin Common brick gives this modern ranch variant a touch of local vernacular.

- The National Trust has asked our neighborhood to host a candlelight walking tour during their conference. They selected Judges' Hill because it is "an intact inner-city neighborhood with a variety of architectural styles — Victorian to Arts and Crafts to Mid-Century Modern -- and a depth of colorful Austin history." Designating Kozmetsky-McClendon House, along with existing landmark Granger House and fellow nominee Matsen House, will preserve a critical mass of mid-century homes as examples of a third wave of design and construction from Judges' Hill's rich history.

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Betsy Christian  
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