

± March 1978

SOME PROPOSALS RELATED TO NINTH AND TENTH
STREETS BETWEEN LAMAR AND GUADALUPE:
A CHRONOLOGY

1928. The firm of Koch & Fowler was commissioned to survey the state of development of the City of Austin and make recommendations for long-range plans. The concept of green belts along Austin creeks was introduced as a desirable goal.
- 1929-1931. Land along Shoal Creek was purchased for possible park use. (See Appendix I for a record of this acquisition.) The Montgomery parcel was restricted in the deed of sale "for park and playgrounds purposes only." (See Appendix II for deed.)
- 1948?-1950's-early 1960's.⁺ Shoal Creek Boulevard Plan devised, amended, shelved, unshelved, etc. (Appendix III).
1963. Council authorized acquisition of Lon Smith property at 810 West Avenue by eminent domain in order to extend W. 9th to meet proposed Shoal Creek Boulevard extension. (Appendix IV).
- 1964.⁺ City began to acquire other property along W. 10th Street between Lamar and West Avenue for purposes of widening W. 10th.
1965. West 11th between Lamar and Shoal Creek "vacated and perpetually closed to public traffic" since "it has been determined by the City Council of the City of Austin that said portion of such street is not needed and will not be required in the future ..." (Appendix V)
- 1966.⁺ Lon Smith property awarded to the City. (Shown on map in Appendix I.)
1969. Austin Development Plan, the masterplan for the next seven years,* drawn up. It provided for the widening of virtually every east-west street in the area covered by the Old Austin Neighborhood: 7th, 8th, 9th, 10th, 11th and 15th; it also provided for the extension of 9th Street between West Avenue and Lamar. Both W. 9th and W. 10th, along with several others, were to be 60 feet wide.
1971. First appearance of 10th Street widening in a CIP. The 1971-76 CIP set the 10th Street ROW acquisitions, the widening of 10th and construction for the 10th Street bridge at Shoal Creek as a second priority for the period 1973-76. (The 1972-77 CIP set the project for fiscal year 1976/77.)
- Spring, 1973. Planning Commission considered projects for the 1973-78 CIP. During this time the proposal for a two-way 10th that was 60 feet in width was changed to a two-way 10th that was 44 feet in width, on recommendation of Mr. Joe Ternus.⁺
- June 7, 1973. CIP for 1973-78 transmitted to Council.
- June 19, 1973. Mr. Davidson, on recommendation of Mr. Ternus, proposed to Council that 9th Street be added to the project with the intention of making one-way pairs of W. 9th and W. 10th between Lamar and Guada-

⁺Determined through conversations with various city employees.

*Mr. Ternus estimates that a new masterplan will possibly be prepared by the spring of 1976.

lupe. The Council did not vote on this matter though there was some random discussion between Mayor Butler and Mr. Davidson. (Appendix VI shows Mr. Ternus' original recommendation together with Mr. Davidson's cover memo. Appendix VII shows a transcription of the relevant portion of the June 19 Council meeting.)

August 2, 1973. Council approved by unanimous vote the entire 1973-78 CIP, including the 9th Street Amendment.

January 1974. The Bovay Engineers' completed preliminary report on 9th and 10th street changes submitted to the various concerned departments, boards, etc. for review. The proposed 9th Street extension apparently extended into the Montgomery parcel, which was intended for "park and playgrounds purposes only." The report also proposed that Henderson be made a one-way street going south.



February 1974. Consideration of the Bovay Engineers' preliminary report withdrawn from the agenda of the Environmental Review Committee of the Citizen's Board of Natural Resources and Environmental Quality, the report being returned to Bovay for revision at this point. It was later stated* that revision was to consist chiefly of re-routing the street along street right-of-way and eliminating the north-south system, i.e. Henderson.

March 3, 1974. Organizational meeting of Old Austin Neighborhood.

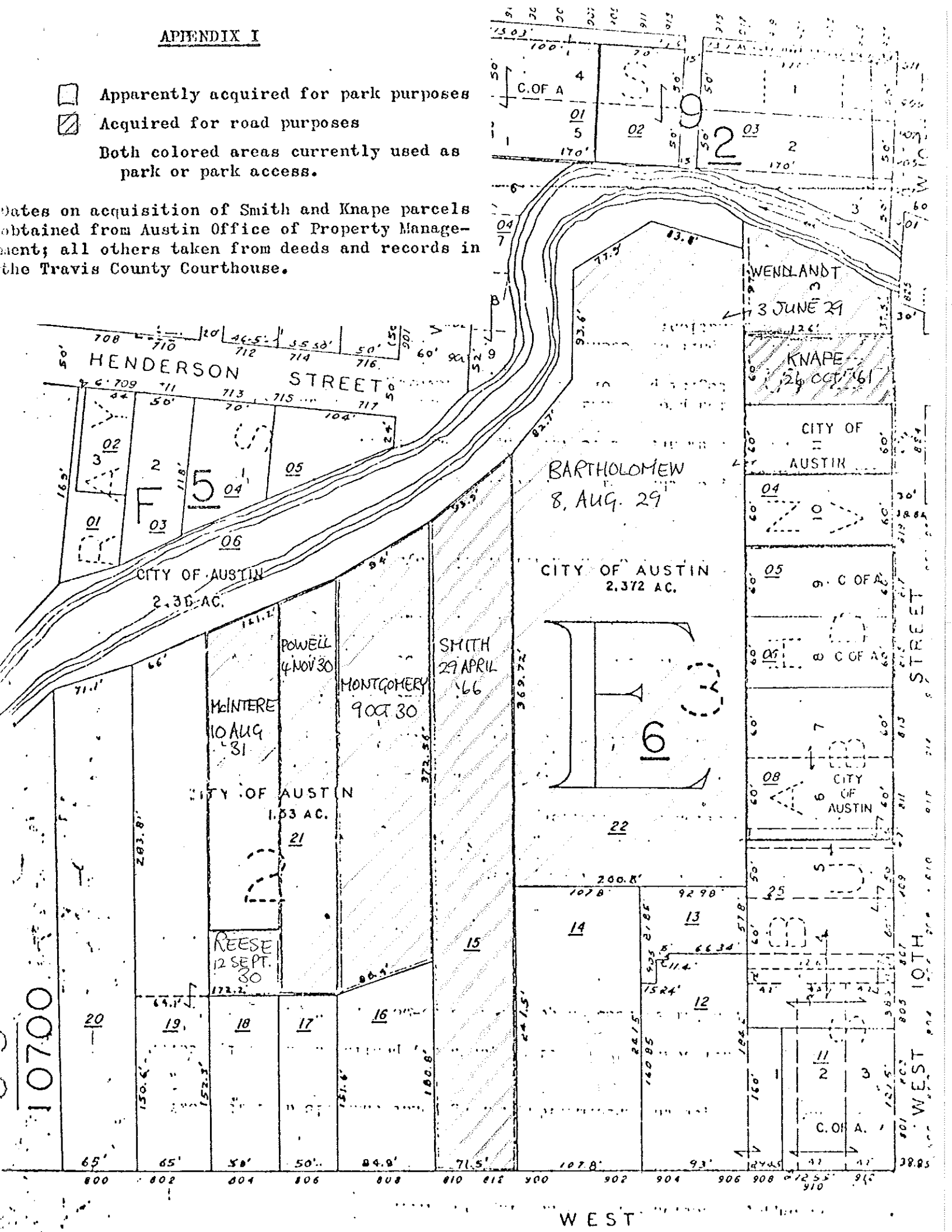
March 14, 1974. Public hearing on 9th and 10th Street changes requested by Old Austin Neighborhood within approximately two weeks after the revised preliminary engineering report is completed. Council agreed to this request.

*At a meeting in Mr. Davidson's office attended by Mr. Davidson, Mr. Don Butler, Mr. Snyder, Mr. Ternus, and two members of the Old Austin Neighborhood, Mrs. Bucknall and Mr. Glenn.

APPENDIX I

-  Apparently acquired for park purposes
-  Acquired for road purposes
- Both colored areas currently used as park or park access.

Dates on acquisition of Smith and Knappe parcels obtained from Austin Office of Property Management; all others taken from deeds and records in the Travis County Courthouse.



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WEST

STATE OF TEXAS #
COUNTY OF TRAVIS #

KNOW ALL MEN BY THESE PRESENTS:

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That I, Mrs. Lucy H. Montgomery, a widow, of Travis County, Texas, for and in consideration of the sum of One Thousand Fifty Dollars (\$1050.00) cash to me in hand paid by City of Austin, a municipal corporation, of Travis County, Texas, the receipt of which is hereby acknowledged;

Have granted, sold and conveyed, and ^{do} by these presents Grant, Sell and Convey, unto the said City of Austin, a portion of Outlot No. Two (2) in Division "E" of the government outlots adjoining the City of Austin, Travis County, Texas, more particularly described by metes and bounds as follows:

Beginning at an iron pipe stake in the limitation line between a tract of land owned by Marian R. Powell and a tract of land owned by me, both tracts being a portion of Outlot 2, Division "E" of the government outlots of the City of Austin, Travis County, Texas, from which point of beginning an iron pipe stake at the intersection of the west line of West Avenue and the center line of West 10th Street bears S. 70° 38' E. 151.6 feet and N. 19° E. 501.7 feet to wit:

Thence N. 70° 38' W. 354.09 feet more or less following the limitation line between Said Powell and Montgomery tracts, to Shoal Creek;

Thence N. 11° 18' W. with said Shoal Creek 94 feet more or less to the intersection of the limitation line between a tract of land owned by Lon A. Smith and a tract of land owned by me said point being the northwest corner of said tract owned by me;

Thence S. 71° 1' E. 372.56 feet more or less following said limitation line to an iron pipe stake, said stake being 180.8 feet westerly from the west line of West Avenue, for a corner;

Thence S. 0° 4' E. 88.4 feet to the place of beginning, containing 0.686 acres of land more or less. Property is to be used for park and playgrounds purposes only.

To have and to hold the above described premises; together with all and singular the rights and appurtenances thereto in anywise belonging or appertaining, unto the said City of Austin, its successors and assigns forever. And I do hereby bind myself, my heirs, executors and administrators to warrant and forever defend all and singular the said premises, unto the said City of Austin, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof; except as to the taxes for the year 1930, which by the acceptance of this deed the grantee agrees to pay.

Witness my hand this the 7th day of Oct. A. D. 1930.

Mrs. Lucy H. Montgomery.

STATE OF TEXAS #
COUNTY OF TRAVIS #

BEFORE ME, the undersigned authority, on this day personally appeared Mrs. Lucy H. Montgomery, a widow, known to me to be the person whose name is subscribed to the foregoing instrument, and she acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the 7th day of Oct. A. D. 1930.

George S. Dowell

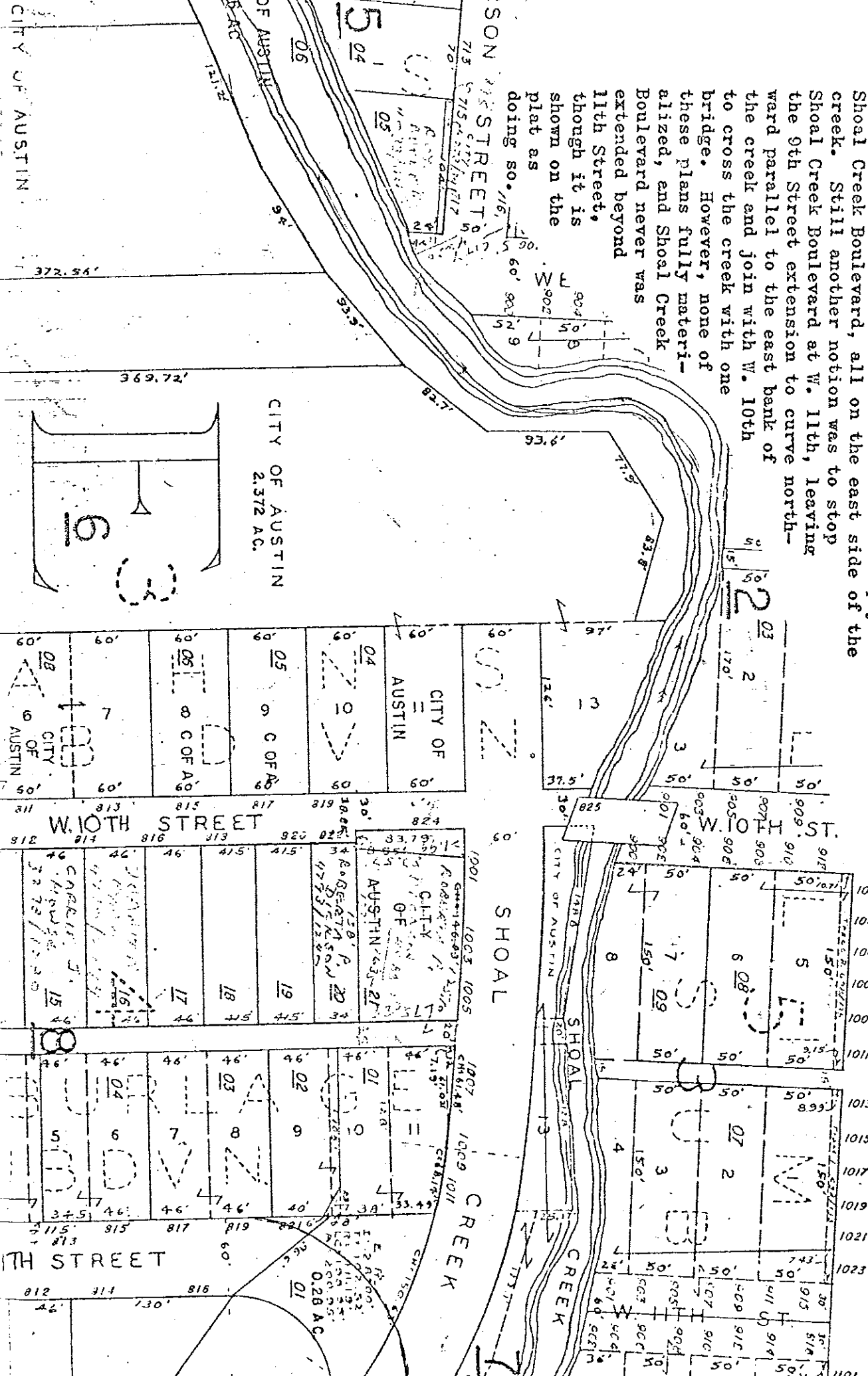
(Notary Seal) 4422.

Notary Public, Travis County, Texas.

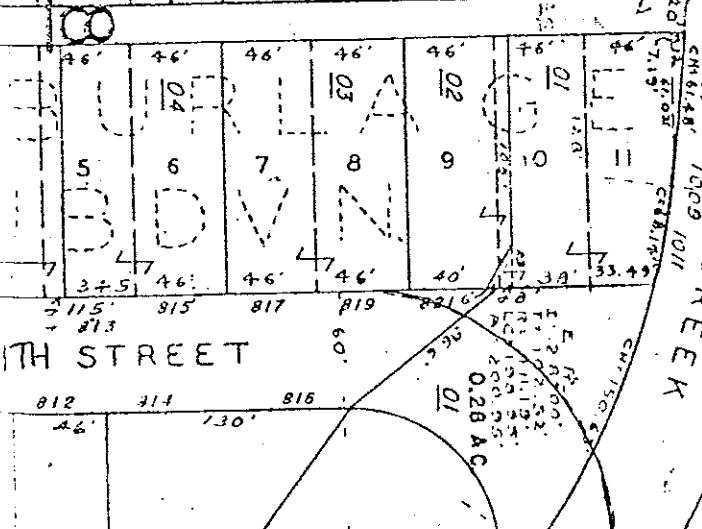
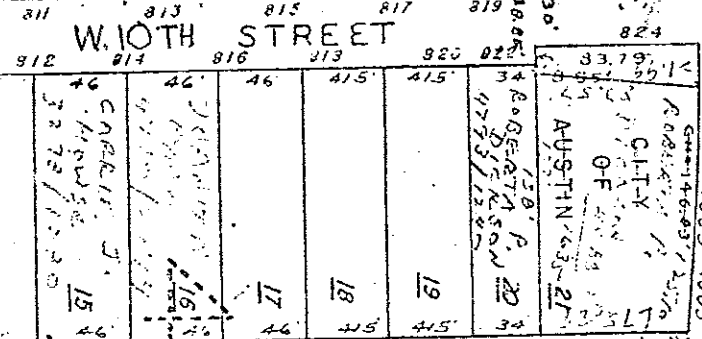
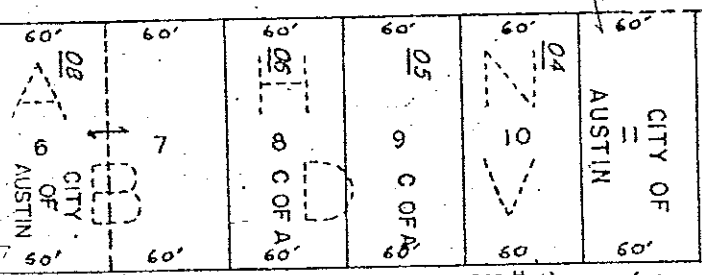
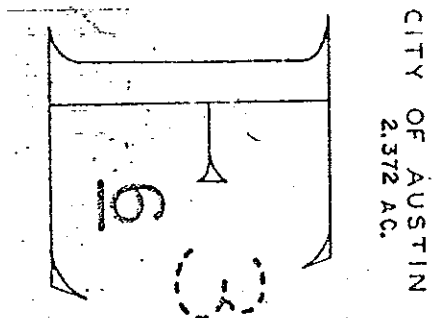
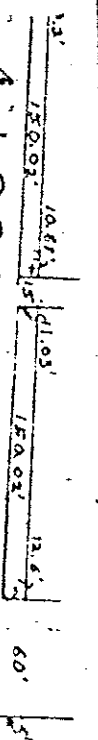
Witness my hand and seal of office, this the 7th day of Oct. A. D. 1930 at 5:00 P.M. Recorded October 10, 1930 at 8:20 A.M.

APPENDIX III

Plans for the extension of Shoal Creek Boulevard southward beyond that portion shown on the plat took many forms. At one time the idea was to join up Shoal Creek and Henderson. Another was to make the 9th Street extension curve northward and simply run into Shoal Creek Boulevard, all on the east side of the creek. Still another notion was to stop Shoal Creek Boulevard at W. 11th, leaving the 9th Street extension to curve northward parallel to the east bank of the creek and join with W. 10th to cross the creek with one bridge. However, none of these plans fully materialized, and Shoal Creek Boulevard never was extended beyond 11th Street, though it is shown on the plat as doing so.



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APPENDIX IV

RESOLUTION

WHEREAS, the City Council of Austin has found that public necessity requires the opening, widening and improving of West 9th Street in the vicinity between West Avenue and proposed extension of Shoal Creek Boulevard in order to provide for the free and safe flow of traffic in the indicated area within the City of Austin; and,

WHEREAS, the City Council has found and determined the public necessity requires the acquisition of the hereinafter described tract of land for right-of-way to permit the opening, widening and improving of said area within the City of Austin; and,

WHEREAS, there are conflicting claims of ownership to said tract of land; and,

WHEREAS, the City of Austin has negotiated with the owners and claimants of said tract of land and has been unable to agree with such owners and claimants as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners, claimants, lessees and lienholders, a suit in eminent domain to acquire the fee simple title to the following described tract of land:

205 415 615 820

All that certain tract or parcel of land lying and being situated in the City of Austin, in the County of Travis in the State of Texas, and known and described as Partition of Lot No. 4 in the Subdivision of Outlot No. 2, in Division "E" of the said City of Austin, Travis County, Texas, and described by metes and bounds as follows, to-wit:

BEGINNING at the northeast corner of Outlot No. 2;

THENCE, north 71° west with its north boundary line 640 feet to Shoal Creek;

THENCE, down same with its meanders to northwest corner of a subdivision of said Outlot No. 2 set apart in the partition of the estate of John Burlage, deceased, to J. R. Burlage;

THENCE, south 71° east parallel with the north and south boundary of said Outlot 560 feet to West Avenue;

THENCE, north 19° east with West Avenue, 72 feet to the place of beginning, containing one acre of land, more or less, being the same which was set apart to A. R. Burlage (as Lot No. 4) in partition of the estate of John Burlage, deceased, being the same property which was conveyed to Lon A. Smith by W. A. Hamlett and wife, Faye Hamlett, by deed dated July 1, 1921, and recorded in Volume 345, on pages 99 and 100, Deed Records of Travis County, Texas.

ADOPTED: May 30, 1963.

ATTEST:

E. J. Woodley
City Clerk

30MAY63
EC:sc

29 Apr 1966 is date of deed - per telephone call

APPENDIX V

CITY OF AUSTIN, TEXAS

FEB - 2 - 1965 5127 ORDINANCE NO. 65 1109-B 125

AN ORDINANCE VACATING AND PERPETUALLY CLOSING TO PUBLIC TRAVEL A PORTION OF THAT CERTAIN STREET KNOWN AS WEST 11TH STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT FOR PUBLIC UTILITY AND DRAINAGE PURPOSES; AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

WHEREAS, a certain street, known as West 11th Street, was reserved and dedicated to the public on a map or plat of Silliman Addition, a subdivision of record in Book 1 at Page 118 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owners of property abutting the hereinafter described portion of said street have requested the City Council of the City of Austin to vacate and perpetually close to public travel the hereinafter described portion of said street; and,

WHEREAS, it has been determined by the City Council of the City of Austin that said portion of such street is not needed and will not be required in the future, SAVE and EXCEPT for an easement to be retained in the City for public utility and drainage purposes; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

SECTION 1. The hereinafter described portion of that certain street, locally known as West 11th Street, be and the same is hereby vacated and perpetually closed to public travel, SAVE and EXCEPT for an easement to be retained in the City for public utility and drainage purposes; such portion of said street so vacated and perpetually closed to public travel being more particularly described as follows:

All that portion of a certain street in the City of Austin, Travis County, Texas, known as West 11th Street and as shown on a map or plat of Silliman Addition, a subdivision of Outlot 5 and a portion of Outlot 2, Division Z, of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas; a map or plat of said Silliman Addition being of record in Book 1 at Page 118 of the Plat Records of Travis County, Texas; which portion of West 11th Street extends from the east line of Lamar Boulevard, formerly known as Ruiz Street, in an easterly direction 180 feet, more or less, to the west bank of Shoal Creek.

SECTION 2. The ordinance rule requiring the reading of an ordinance on three separate days is hereby suspended, and this Ordinance shall become effective as provided by the Charter of the City of Austin.

PASSED AND APPROVED |

November 9, 1965 |

S/ Lester E. Palmer

Mayor

APPROVED: S/ Doran R. Eskew
City Attorney

ATTEST: Elvin W. Masley
City Clerk

(CORPORATE SEAL)

20OCT65

DEED RECORDS 3078 2171
Travis County, Texas

APPENDIX VI



Memorandum to MAYOR and MEMBERS OF CITY COUNCIL

From Dan Davidson, City Manager

July 19, 1973

SUBJECT: Additional Project for the Capital Improvements Program

I am transmitting a report from the Traffic and Transportation Director, Mr. Joe Ternus, proposing that the existing recommendation for improvement of 10th Street within the Capital Improvements Program be expanded to include the improvement of 9th Street from Lamar to West Avenue. In view of the fact that these two streets could provide sorely needed relief to traffic congestion to the new County offices and to the central business district, I believe it is essential that the additional \$270,000 be included in our Capital Improvements effort. When the 10th Street improvements were first included, the idea was to correct a substandard bridge and to widen a substandard street. I am suggesting that this be done in addition to the improvement of 9th Street.

Dan H. Davidson
City Manager

DHD:jp

TO: Mr. Dan Davidson, City Manager SUBJECT: Proposed 9th - 10th Street System

Attached is a report on a proposed 9th - 10th Street one-way system which would provide better access to the central business district with minimum construction and expense. The project proposes the inclusion of an additional bridge at 9th Street and supporting street construction and signalization. A comparison of existing and additional funding requested are listed below:

	<u>EXISTING CIP REQUEST</u>	<u>ADDITIONAL CIP REQUEST</u>	<u>TOTAL REQUEST</u>
<u>10th Street</u>			
ROW	100,000		100,000
Bridge Construction	150,000		150,000
Street Construction	95,000*		95,000
TOTAL	345,000		345,000
<u>9th Street</u>			
ROW		15,000	15,000
Bridge Construction		175,000	175,000
Street Construction		40,000	40,000
TOTAL		230,000	230,000
SIGNALIZATION	40,000**	40,000**	80,000
GRAND TOTAL	385,000	270,000	655,000

* Shown on FY 74-75

** Not Included in CIP Budget

These proposed improvements to the central street system will improve the flow of traffic and create safer conditions for vehicular and pedestrian traffic.

It is requested that consideration be given to this proposal in the Capital Improvement Program.

Respectfully submitted,

JST:sm
Attachment

FROM: Joe S. Ternus, P. E., Director
DEPARTMENT OF TRAFFIC & TRANSPORTATION

SIGNED: 

PROPOSED 9th and 10th STREETS TRAFFIC SYSTEM

The Department of Traffic and Transportation has completed a traffic study on 9th and 10th Streets between Lamar Boulevard and the Central Business District. These streets presently serve residences, as well as thru traffic to the county courthouse, central library, several apartments, office buildings, and parking lots. These facilities generate enough traffic to keep these streets fairly busy all during the day.

During peak period, however, these streets are extremely congested. With the county expansion, proposed parking garages, and general development of the area, the traffic circulation and access to this area must be improved to maintain an adequate level of service.

The present C.I.P. budget recognizes this need for improved access to Lamar with a street project to widen 10th from West Avenue to Lamar, replacing the narrow bridge on 10th over Shoal Creek, and providing a 44 ft. roadway - lanes from West Avenue to Lamar.

This facility would aid the general circulation between Lamar and downtown, and improve access to the courthouse complex. Because of the two-way movement, there are several important drawbacks. These include:

1. Intersection of 10th and Guadalupe will be difficult to control since all eastbound traffic will be forced to turn south and presents a conflict with the westbound vehicles east of the intersection.
2. Parking around the courthouse will be even more limited, and will create substantial problems until the county parking garage is finished.

As an alternative, it is proposed that 9th Street be constructed from West Avenue to Lamar and the downtown one-way system be extended to Lamar. With a 9th and 10th one-way system and including on-street parking and existing width, the total capacity will be 5700 vehicles per hour, which compares to 4100 with 10th Street widened and parking removed. Thus, the street capacity will be increased with the one-way system, some parking can be retained and less construction will be required. (?)

In order to provide an operative one-way pair, the following construction would be necessary:

1. Two bridges, each 44 ft. wide over Shoal Creek;
2. Completion of 9th and 10th Streets from West Avenue to Lamar with 44 ft. paving width.

Operational changes would include signals on 9th and 10th at West Avenue, Rio Grande, Nueces, and San Antonio, plus modifications at 9th, 10th, and Guadalupe.

This plan has several advantages. Both streets will be unusually well suited for one-way operation. The existing one-way system downtown will be extended to Lamar. While the termination points at the west will require special signalization, the light traffic volumes on 9th and 10th west of Lamar can be more effectively and safely handled than the existing termination points at Guadalupe. Completion of the system will improve local circulation around the courthouse complex, and will provide much better access to the area with a convenient route to Lamar.

In fact, the entire downtown and Capitol area will benefit by another route from Lamar. The intersection of 5th, 6th Streets at Lamar are extremely congested during the peak periods. Another route into the central area would be beneficial.

The widening of 10th and completion of 9th will aid in the development of the Shoal Creek Hike and Bike trail and Greenbelt system, giving the park area more exposure.

Other advantages include those common to all one-way street systems, such as only one period of heavy flow per street, fewer conflicts for left turns, and safer pedestrian crossing at the intersection.

The estimated cost of the original proposal in the C.I.P. budget was \$100,000 for right-of-way, \$150,000 for construction. The costs for the 9th and 10th one-way system are as follows:

	10th	9th	Total
I. Right-of-Way	100,000	15,000	115,000
II. Construction			
Bridges	150,000	175,000	325,000
Streets	95,000	40,000	135,000
	<hr/>	<hr/>	<hr/>
TOTAL	245,000	215,000	460,000
III. Traffic Control	40,000	40,000	80,000
	<hr/>	<hr/>	<hr/>
TOTAL COST	385,000	270,000	655,000

The total cost of \$655,000, \$270,000 more than the original proposal, can be justified through safer and more efficient access to the Central Business District and less congestion at 5th, 6th Streets at Lamar.

This department feels that the proposed one-way system will be a good investment in the traffic flow and safety in Austin.

Public Works, your addition to the CIP, Mr. Davidson, or does that..

MR. DAVIDSON: Yes, sir, this would be in addition to the streets, improvements under the Public Works part of the project, and also we have an addition under Bridges and Culverts. We are talking, with Mr. Rountree, about the requested addition to the program on 9th and 10th Street between Lamar and West Avenue.

MAYOR BUTLER: Yes, this is brought about somewhat by the expansion of the County complex, County offices, parking garages, traffic..

MR. DAVIDSON: For several years the City has received complaints about existing traffic difficulties in that area, and you are right, it is just going to be compounded by the completion of the new parking garage and other County facilities located to the east of these improvements.

MAYOR BUTLER: All right, what will that..is this suggested additional project to go into the first quadrant, first box or second box? '74-'75, right?

MR. ROUNTREE: The 10th Street I believe Mayor is in next year's program.

MAYOR BUTLER: Well, the City Manager's entire supplement package here....would go in.. Which one of these years would it go in, Mr. Manager?

MR. DAVIDSON: Yes, sir, okay. As pointed out by Mr. Rountree, the street construction on 10th Street was recommended for fiscal year '74-'75..

DR. DRYDEN: Mr. City Manager let's take about a 5-minute break here. The Mayor has stepped out and Lowell and Jeff, please.

MR. HANDCOX: ~~I was talking to Mr. Stokes~~ They are talking with Mr. Stokes about ..

DR. DRYDEN: Well, okay, give us five minutes.

MAYOR BUTLER: It might be appropriate to make it part of the record. The conversation that we just had with Mr. John Stokes, the owner of the Houghton House. Councilmen Lebermann, Friedman and Binder and I talked with Mr. Stokes. He did agree, very graciously I might add, to put a two-week moratorium on any activity on Houghton House. He will call over at this time and stop any demolition. He in return he asked that we provide some form of security for the House, Mr. Mnaager. He said that the police had had a number of instances where people were vandalizing the house since they knew that it was ~~being~~ being demolished. And we indicated that we would provide some sort of security to prevent that from happening in this two week period. At the same time, we would like to ask you to have some City engineering personnel to look at the house, and see if it is feasible to move it. Now he is of the opinion that the plan that was presented this morning is not feasible. He feels that if we try to move that big house in one piece, get it out in the middle of the street, it is going to tilt, fall over and we will have a big pile of scrap lumber. And we will have to have City loaders ~~xxxxxx~~ and dump trucks hauling it off ~~for~~ for weeks to come. So we want to be sure, #1, from an engineering and professional standpoint it can be done, even if the funds are available. So if you could start a preport from that end, and also to be sure that the property is physically protected..

MR. LEBERMANN: Mr. Mayor, I think you might want to make it more..even more clear to the press and to the audience that the two week moratorium is not for the purpose of getting the house off that property in two weeks, but to present a plan to him.

MAOR BUTLER: Right, and in any event that either we or the Travis County Historical Society are unable to come up with a feasible plan, then I think we are more or less bound to turn him loose.

MR. BINDER: And we will get those things that were taken out.

MAYOR BUTLER: Yes, and the \$10,000 that he would contribute. So at least Houghton House has a 2-week reprieve and ~~xxxx~~ hopefully a longer one.

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MR. DAVIDSON: Mr. Mayor when you left you asked a question about the scheduling of 9th and 10th Streets. At this time the right of way and bridge construction on 10th Street is proposed for ~~xxx~~ next fiscal year, '73 to '74. The street construction and the widening is proposed for '74-'75. Our recommendation is that we include a small amount of right of way for 9th Street for next fiscal year 73-74, and funds to construct the bridge 73-74, and then \$40,000 for w street construction for 74-75 which matches up with what we will be doing on 10th Street. And we will take care of the details if that is all right, sir, with the Council?

MAYOR BUTLER: Well, I just wanted to be sure we understood the proposal at this point. Any other questions in Public Works here in widening and paving streets?

MR. FRIEDMAN: I have got two questions. 73/62/03 on page 100, Riverside ~~x~~ improvements.

MR. ROUNTREE: On Riverside?

MR. FRIEDMAN: Yes, sir. Talking about 2..a minumum of 2 33' lanes.. My question is this. I have heard rumor and have been given information in the past that.. ~~xx~~ you know, with the traffic out there, we are talking about creating 4 lane avenues out there. Is that still under study, or are you decided that is not the way to go. That the best way is with the 33'..

MR. ROUNTREE: Councilman Friedman I would have to refer you to Mr. Ternus on that one, since the construction is based on his recommendations.

MR. FRIEDMAN: It is going to be on part ~~x~~ of this next question, too. What are we doing Joe?

MR. JOE TERNUS: Mr. Friedman it is our recommendation and professional feeling that 2 33's divided will be sufficient ~~xxxx~~ to handle the traffic flow. The bottle neck on this particular facility will be the intersection at Interstate 35, and this is where we feel like we need additional direct ramps to take the traffic on and off of Pleasant Valley. We see no reason to widen Riverside Drive to four lanes in each direction, with no facility to take it on or off or to move it across. So it is our feeling 2 at 33', which has actually been changed to 2 at 36' is feasible.

MR. FRIEDMAN: Let me ask you this Mr. Ternus. Was there at any time an offer or a fund set up by the Highway Department to ~~xxxxxx~~ pay for the paving of four lane proposal..four lanes on..going each direction.....roadway?

MR. TERNUS: About two years ago the standard for Riverside Drive was changed to 2 at 33' with a 14' median. This change was recommended jointly by the City and the Highway Department. It was approved by the City Planning Commission, by the City Council. We have proposed a TOPICS project for ~~xxxx~~ Riverside Drive with the Highway Department on this particular design. They have since come back and said that they feel like an additional lane in each direction is needed, but then narrow back to 3 lanes at Interstate 35 in each direction. We do not