

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-2022-0071

HLC DATE: February 28, 2022; March 28, 2022; May 4, 2022; June 1, 2022

PC DATE: June 28, 2022

ADDRESS OF PROPOSED ZONING CHANGE: 1403 E. Cesar Chavez St.

APPLICANT: Historic Landmark Commission (owner-opposed)

HISTORIC NAME: Tofie and Bertha Balagia House

WATERSHED: Urban—Lady Bird Lake

NEIGHBORHOOD PLAN: East Cesar Chavez

ZONING CHANGE: CS-1-MU-CO-NP to CS-1-MU-CO-H-NP

COUNCIL DISTRICT: 3

STAFF RECOMMENDATION: Recommend the proposed zoning change from commercial liquor sales – mixed use – conditional overlay – neighborhood plan (CS-1-MU-CO-NP) to commercial liquor sales – mixed use – conditional overlay – historic landmark – neighborhood plan (CS-1-MU-CO-H-NP) combining district zoning.

QUALIFICATIONS FOR LANDMARK DESIGNATION: Architecture and historical associations

HISTORIC LANDMARK COMMISSION ACTION: **June 1, 2022:** recommend historic zoning based on survey findings of architecture and historical associations (Koch, Myers; 10-0). **May 4, 2022:** Postpone the public hearing. **March 28, 2022:** Postpone the public hearing at the owner's request (Koch-Heimsath, 11-0). **February 28, 2022:** Initiate historic zoning based on architecture and historical associations and keep the public hearing open (Koch-Castillo, 10-0-1).

PLANNING COMMISSION ACTION:

CITY COUNCIL ACTION:

CASE MANAGER: Kimberly Collins, 512-974-1801

NEIGHBORHOOD ORGANIZATIONS: Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Del Valle Community Coalition, East Austin Conservancy, East Cesar Chavez IBIZ District, East Cesar Chavez Neighborhood Association, East Cesar Chavez Neighborhood Plan Contact Team, East Town Lake Citizens Neighborhood Association, El Concilio Mexican-American Neighborhoods, Friends of Austin Neighborhoods, Greater East Austin Neighborhood Association, Guadalupe Neighborhood Development Corporation, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Preservation Austin, SELTexas, Sierra Club, Austin Regional Group, Tejano Town

DEPARTMENT COMMENTS: The 2016 East Austin Survey report recommends that the property is eligible as a local landmark and contributes to a potential local historic district.

BASIS FOR RECOMMENDATION:

Architecture: The house embodies the distinguishing characteristics and is an excellent example of Craftsman-style architecture. It is of single-story residential construction with cross gable roofline built circa 1925. The roof has one triangular knee brace in the apex of each gable. The porch supports are composed of brick masonry piers with sloping sides. On top of the piers rest the decorative wooden support columns which appear to take cues from Orientalist design principles. The wooden porch railing is almost Stick in its patterned styling lending to the Western Stick reference known for some Craftsman styles. The structure has horizontal wood siding, and the façade is comprised of a single entry door and two matching window assemblies, each comprised of two single hung, vertical, wood windows. The house retains a high degree of architectural integrity with few alterations.

Historical Associations: The property has long-standing significant associations with the family behind Balagia Produce, which contributed significantly to commerce in Austin. From 1925 to 1959 this home was owned and occupied by members of the Balagia family. Charles and Tofie Balagia were owners of the Balagia Produce Company. Co-owner Tofie Balagia and his wife Bertha purchased this house in 1927 and it became their family home. Bertha Balagia (Tofie's widow) continued to live at this address into 1959. The Balagia Produce Company was already one of the oldest in the Austin area by 1939. The business was where many would go to order their holiday turkeys and meats and held the State contract for providing meat to State institutions for many years. Balagia Produce continued to serve the City and surrounding areas, becoming one of the largest suppliers of meat and produce in the State of Texas.

PARCEL NO.: 202051302

LEGAL DESCRIPTION: LOT 2 BLK 1 OLT 34&46 DIV O WELCH SUBD

ESTIMATED ANNUAL TAX EXEMPTION: \$7,329.15 (non-homestead, no cap); city portion: \$2,156.67.

APPRAISED VALUE: \$673,307

PRESENT USE: Single-family residence

INTEGRITY: High

ALTERATIONS/ADDITIONS: None

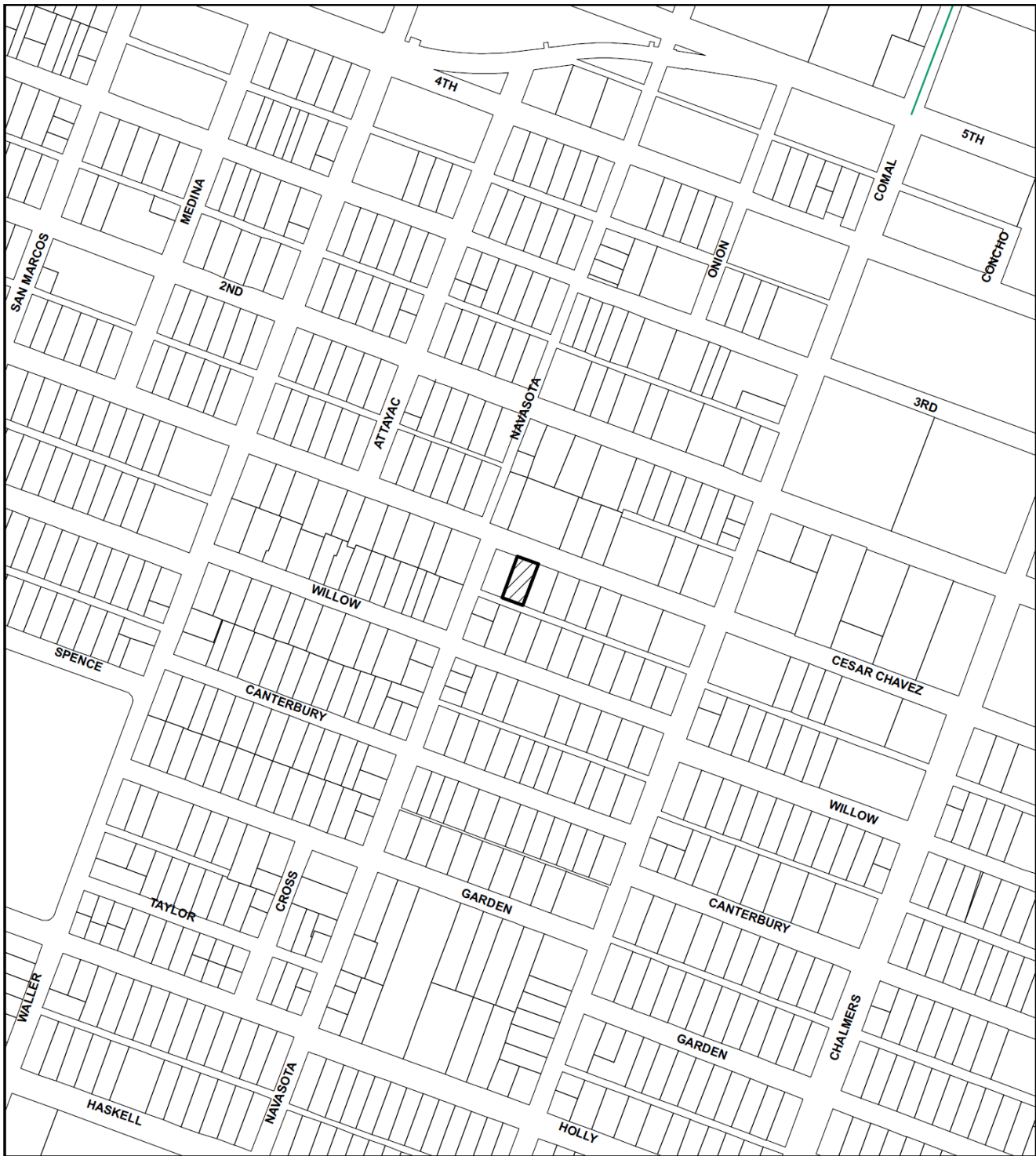
PRESENT OWNERS: ELVIS 1403 E CESAR CHAVES STREET LLC, 2903 Oakhaven Dr., Austin, TX 78704-5827

DATE BUILT: ca. 1925

ORIGINAL OWNER(S): Tofie and Bertha Balagia

OTHER HISTORICAL DESIGNATIONS: None

LOCATION MAP



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1" = 333'

NOTIFICATIONS

CASE#: GF 22-016729

LOCATION: 1403 E CESAR CHAVEZ STREET

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



PROPERTY INFORMATION

Photos

Source: Applicant, 2022.

Occupancy History

City Directory Research, February 2022

1959	Bertha Balagia, owner
1957	Bertha Balagia, owner
1955	Bertha Balagia, owner (widow of Tofie)
1952	Bertha Balagia, owner (widow of Tofie)
	Rose Balagia, renter Student
	Doris M. Balagia, renter Bookkeeper
	Edward G. Balagia, renter USA
1949	Bertha Balagia, owner (widow of Tofie)
	Jeanette H. Balagia, renter Bookkeeper-credit manager, Gem Jewelry
1947	Bertha Balagia, owner
	Evelyn Balagia, renter
	Jeanette Balagia, renter Bookkeeper, Gem Jewelry
1944	Bertha Balagia, owner (widow of Tofie)
	Evelyn Balagia, renter Student at the University of Texas
	Jeanette H. Balagia, renter Student at the University of Texas
1941	Tofie and Bertha Balagia, owners Balagia Market (505 E. 5 th Street)
1939	Tofie and Bertha Balagia, owners Balagia Market (505 E. 5 th Street)
1937	Tofie and Bertha Balagia, owners Balagia Produce Co./Balagia Market (505 E. 5 th Street)
1935	Tofie and Bertha Balagia, owners Balagia Produce Co. (505 E. 5 th Street)
1932	Tofie and Bertha Balagia, owners Balagia Produce Co. (505 E. 5 th Street)
1929	Tofie and Bertha Balagia, owners Balagia Produce Co. (505 E. 5 th Street)
1927	Tofie and Bertha Balagia, owners Balagia Produce Co. (506 Trinity Street)
1924	Address not listed
	Note: Tofie and Bertha Balagia (1004 Spence Street) Balagia Produce Co. (506 Trinity Street)

Permits

Unless the Plumbing is done in strict accordance with City Ordinances, do not turn on the water.

No. A 177

PERMIT FOR WATER SERVICE Austin, Texas

M. Jesya Balagia Address 1403 East 1st St.

Plumber W. J. Andubathur Size of Tap 1/2 Date 6/29/25

Foreman's Report. [Signature]

Date of Connection 5/30/25

Water service permit, 1925

Historical Information

Balagia Ready To Serve All New Residents

With the opening of the legislature for another regular session, many new families will be in Austin during the next few months and this means that they will depend upon a good market to supply them with poultry, meats and delicatessen products.

These new housewives will be interested to know that the **Balagia Produce** and Market operated by Charles and Tofie Balagia is ready to serve them satisfactorily with these needs.

The **Balagia Produce** company is located at 505 East Fifth street, where the housewife can select a chicken, turkey or any other poultry on foot and the market staff

will dress it without extra charge as she wants it. Only a few minutes are required for such service.

The housewife can also telephone her order to the **Balagia** firm and it will be delivered free to any part of the city.

In addition to fine poultry, the **Balagia Produce** and Market carries only the best in beef, lamb, pork, veal and mutton in season and at intervals during the year offers its patrons meat from prize winning baby beeves and calves purchased from the Luling Foundation farm or at various fairs and stock shows.

Sausage of all kinds, cheese, chile, and other delicatessen products also are available to patrons at the **Balagia** market. For a number of years, the **Balagia Produce** and Market has gained an enviable reputation for its fine barbecue which is prepared under the supervision of an expert barbecue chef.

The **Balagia Produce** and Market welcomes the newcomers to Austin and invites them to try its service at any time.

"Balagia Ready to Serve All New Residents," Austin Statesman, Jan. 11, 1941, 10.

Balagia Produce

Firm Is Among Oldest in City

One of the best known establishments of its kind in the Southwest is the Balagia Produce company, wholesale and retail dealers in poultry and produce, which maintains its house and salesrooms at 505 East Fifth street.

The Balagia Produce company is owned and operated by Charles and Tofie Balagia, who have catered to the needs of Austin and Central Texas consumers for many years.

Charles Balagia, one of the members of the firm, announced Saturday that he and Tofie Balagia's interests are confined only to the Balagia Produce company at 505 East Fifth street, and that they have no connection with any other firm in Austin.

The Balagia Produce company, in addition to handling a wholesale and retail produce business, operates its own retail market where customers may obtain choice cuts of veal, beef, lamb, mutton and pork in season besides a very select line of delicatessen products. For that Easter dinner, the Balagia firm suggests that a choice roast or chicken is most appropriate and invites the patrons to place their orders.

With an excellent free delivery service to every part of the city, the Balagia firm delivers all orders promptly, and all that the customer needs to do is to telephone in the order and the firm will do the rest.

Charles Balagia asks friends and customers of the firm that when they need quality meats or poultry for the dinner table to permit the Balagia Produce company to give them the same fine service which has been a policy of that firm for many years standing.

Balagia Firm Offers Choice Poultry Here

For that Sunday dinner or the special festal occasion, Austin hostesses may obtain choice roast or chicken by calling the Balagia Produce company located at 505 East Fifth street, the home of quality meats and poultry here for many years.

Charles and Tofie Balagia, owners of this firm have catered to the needs of Austin housewives for many years and the firm lists among its patrons many of the most prominent citizens of Austin as well as numerous fraternities, sororities and boarding houses at the University of Texas. The firm has established an enviable reputation among its patrons through its policy of providing the best meats and poultry that the market affords.

In addition to its wholesale and retail purchase and sale of poultry, the Balagia Produce company operates its own retail meat market where patrons may obtain choice cuts of veal, beef, lamb, mutton and pork in season besides a select line of delicious products. Delicious barbecue with sauce also is offered the patrons.

An excellent delivery service is offered to all parts of the city and orders are promptly filled by the company. The housewife needs merely to telephone her order and the firm will fill it as she desires.

"Balagia Produce Firm Is Among Oldest in City," Austin Statesman, Mar. 25, 1939, 8; and "Balagia Firm Offers Choice Poultry Here," Austin Statesman, Oct. 7, 1939, 8.

War Delivery Service Given By Balagia

Balagia Produce and Market, one of Austin's oldest and best known produce firms, extends a greeting to the new citizens who have arrived during the last few weeks to make their home in Austin, and invites these new residents to avail themselves of the fine meats and poultry offered regularly by this firm.

Charles Balagia, owner of the firm, has announced that in accordance with a new regulation of the office of defense transportation, his firm has restricted its delivery service for the duration of the war, and is now making only three deliveries daily and only one delivery on Sunday. He asked that patrons cooperate with the firm in its new delivery schedule by placing their orders so that they may be delivered properly and satisfactorily to the customer.

The first daily delivery is made at 7:30 a. m. of all orders taken from 3:30 p. m. the day before until time for this delivery. A second delivery, scheduled at 10 a. m., is for all orders taken after the first delivery at 7:30 a. m. up to 10 a. m. The third and last delivery is made at 3:30 p. m. to handle all orders taken from 10 a. m. to 3 p. m.

The single delivery on Sunday is made at 9:30 a. m. Special deliveries have been eliminated and not more than one order can be delivered to any one address in any one day. Mrs. Balagia announced.

The Balagia Produce and Market, located at 505 East Fifth street, has served the people of Austin for several decades and during all of that time, it has maintained a consistent policy of providing its patrons with the finest meats and poultry available on the local market.

"War Delivery Service Given by Balagia," Austin Statesman, June 20, 1942, 8.

Mexico-Bred Beef Bought for State Institutions

Fact Revealed By Lessee Of Abattoir

But Control Board Without Knowledge Of Meat Origin

The government of Texas, traditionally one of the world's greatest livestock producing areas, is feeding Mexico-bred beef to its wards in eleemosynary institutions here.

And it's all "news" to W. T. Phears, grocery purchaser for the state board of control, which buys its meats on contract, not specifying origin of the animals, Phears explained Tuesday.

Discussion Begins

Not that the animals to be killed for state-ward consumption are shipped directly here from Mexico. The Austin Statesman investigation showed, but many of them originate there and are moved to Texas for pasturing before sale.

A chance remark by W. F. Gunn, lessee of the city abattoir stockpens, began the discussion. Gunn was asking the city council for an extension of his lease which expires Feb. 20.

He was concerned over his business.

"I've got 100 steers from Mexico to kill for the state," he said.

"Why from Mexico?" he was asked.

Bigger Type Scarce

Government agencies, he explained, specify a larger type of beef carcass than is ordinarily sold to the average meat dealer.

"The bigger type steers are getting pretty scarce in Texas," he said.

Gunn, it developed, is handling the animals for Balagia Produce company which has the state contract to supply the institutions here.

Mr. Phears, the board of control's purchaser, said the state specifications call for beef carcasses weighing not less than 450 pounds and not more than 600 pounds. That weight is larger than ordinarily sold because the average eater's demands in the past few years have been for veal and baby beef, hence Texas livestock breeders have been selling off their animals younger and the larger-type of Texas-bred steers has been getting scarcer and scarcer.

Specifications Met

"It's news to me that any of the animals come from Mexico, however," Mr. Phears said. "We have rigid specifications and the meat we have been getting meets the specifications in every way and is an excellent grade of beef."

Charles and Tofie Balagia of the Balagia company which supplies the state institutions said they purchase the animals in Texas, from various dealers and commission men, and do not know their origin. The steers Mr. Gunn referred to before the city council were bought in San Antonio from commission merchants there, and had been shipped from Cotulla, they said.

But in recent years ranchmen have been shipping Mexico cattle into Texas and pasturing them for several months, sometimes for a year or so, before selling them, it was explained.

Then the development of the brahma-type cattle in south and southwest Texas in the past few years has had its influence, and livestock men have come to refer to the brahma-type cattle as "Mexican cattle," the Balagias explained.

Newspaper clipping referencing Balagia Produce as contract supplier for State Institutions in 1941. "Mexico-Bred Beef Bought for State Institutions," Austin Statesman, Jan. 28, 1941, 10.

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14H-2022-0071

Contact: Kimberly Collins, 512-978-1801

Public Hearing: Jun 28, 2022, Planning Commission

Jul 28, 2022, City Council

Chia Stein

Your Name (please print)

1308 Holly St.

Your address(es) affected by this application (optional)

[Signature]

Signature

6/24/22

Date

Daytime Telephone (optional):

Comments:

I am in favor of additional, walkable bars and restaurants. This building doesn't represent any historic qualities that I'm aware of. Also, this is located on a major East Austin thoroughfare.

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Historic Preservation Office, ATTN: Kimberly Collins
P. O. Box 1088, Austin, TX 78767
Or email to: preservation@austintexas.gov