

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 28, 1965

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by FATHER STANLEY GUZIK, Our Lady of Guadalupe Church.

Mayor Palmer announced that the U.S. Navy had christened one of its newest ships U.S.S. AUSTIN, (LPD-4) and it will be commissioned on February 6th, 1965. Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the citizens of the City of Austin, Texas have always recognized the importance of the United States Navy and the contribution made by this branch of our armed services to the defense of our country in time of war and to the protection and aid of our citizens in time of peace; and

WHEREAS, the citizens of the City of Austin have always taken pride in the large number of sons and daughters who have served in the United States Navy; and

WHEREAS, in recognition and appreciation of the service and support freely given to the United States Navy by the citizens of the City of Austin, the U.S. Navy Department has graciously named one of its newest ships, the U.S.S. Austin (LPD4); Now, Therefore,

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

That the people of the City of Austin, Texas, acting through their duly elected representatives, hereby proclaim Saturday, February 6, 1965, the day of the commissioning ceremony at the New York Naval Shipyard, Brooklyn, New York as

"U. S. S. AUSTIN DAY"

in the City of Austin, Texas, and call upon all citizens to take especial note by appropriate observance of this occasion in every way; and

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

CAPTAIN WILLIAM H. SHAW, U. S. N.

his officers and men, and all future Commanding Officers, officers and men who serve aboard the U.S.S. Austin be named honorary citizens of the City of Austin, Texas.

The Council by unanimous rising vote adopted the resolution.

Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin, Texas was singularly honored when the United States Navy Department graciously named one of its newest ships the U.S.S. Austin, and

WHEREAS, it is the desire of the people of Austin to designate one of their outstanding citizens to personally represent them when the good ship U.S.S. Austin is officially commissioned on February 6, 1965 at the New York Naval Shipyard, Brooklyn, New York; and

WHEREAS, it is with understandable pride that Austin can be represented by one of her citizens who has had twenty-five years of wide experience in Naval service, having served in the North Atlantic and Pacific theatres of operations, who is a graduate of the U.S. Naval Academy, and who has earned the respect of his community in his challenging field of engineering; and

WHEREAS, the people of Austin are doubly grateful to this distinguished citizen who has so unselfishly agreed to go and represent the City of Austin at the official commissioning ceremonies of the U.S.S. Austin at the New York Naval Shipyard, Brooklyn, New York, on February 6, 1965; Now, Therefore,

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

That Edwin A. Tucker, Commander U.S.N. (Retired) be, and he is hereby appointed Special Emissary of the City of Austin, Texas, to officially represent the citizens of Austin at the official ceremonies commissioning the U.S.S. Austin (LPD-4) at the New York Naval Shipyard, Brooklyn, New York, and that he convey to the officers and men of the U.S.S. Austin the assurance of the continuing support, gratitude, prayers, and best wishes of the people of Austin while they serve their country as honorary citizens of the City of Austin, Texas, where a genuine home-town welcome shall always await them.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Mayor Palmer introduced MR. EDWIN A. TUCKER and MR. JIM TOM BARTON. Commander Tucker expressed his pleasure of representing the citizens of Austin and extending the Council's greetings to the officers and men on this Ship, which is a living tribute to Austin. The Mayor had a sketch of the first U.S.S. AUSTIN which was transferred to the U.S. Navy by Texas in May of 1846. The Mayor stated it was customary that a token of appreciation of this honor be sent to the Commander of the Ship. Mr. Maurice Quigley, announced that the Junior Chamber of Commerce immediately was beginning a drive to raise funds to send an appropriate gift to the U.S.S. Austin. Commander Tucker announced the Austin Council's of the Navy League is having prepared a suitable plaque for the quarter-deck. On the plaque will be an imprint of the beautiful skyline of the City of Austin. Introduced were MAJOR DUNCAN ROBERTSON and SERGEANT BILL D. FARRAR. Major Robertson said during the next two years he personally would serve aboard the U.S.S. Austin.

Councilman White moved that the Council approve the Minutes of January 22, 1965. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor brought up for consideration the recommendation of the Planning Commission concerning purchase of property between Mount Bonnell Road and Lake Austin, south of Mount Bonnell Park. MR. DAVID BARROW, Chairman of the Planning Commission, stated the Planning Commission unanimously recommended to the City Council that the area to the west of the present road and below the park be acquired by the City. The recommendation is not confined to that, and there is some feeling that all of the land south of the park on both sides of the road should be acquired because of the effect the development will have on the view and historical value of the area. The Commission is not familiar with the fiscal situation of the City, and it would be up to the Council to find the money and purchase the property or negotiate. He recognized the rights of the subdivider in cases of this kind that needed to be considered. Mr. Barrow stated the Planning Commission felt this particular area was of value to the City and the matter of its purchase should be carefully considered.

The Director of Planning said the Department had not made any recommendations, but supports the Planning Commission's recommendation to expand the park facilities and acquire the land. In answer to Councilman Shanks inquiry as to acquisition of this land and as to its development, Mr. Barrow replied it should be developed as a park. Councilman White inquired of Mr. Barrow on an approximate cost. Mr. Barrow pointed out there were several different amounts of property that could be purchased, and until he knew what was to be considered, he would not be able to make an estimate. The specific recommendation was to expand the area, but did not include the property on the lake that is overflowed. Councilman Long asked if there were anything below the bluff that could be used. Mr. Barrow stated land could be used if it were filled in. Mayor Palmer noted there are properties going to the middle of the lake that could be used if they were filled in but that certainly could not be permitted. Mr. Barrow listed the properties that could be acquired--a minimum of the first two lots adjoining the present park; perhaps a seven acre tract; and the next section would be 20-25 acres.

MR. DON LEGGE was spokesman for a group of people representing many various clubs, in support of the Planning Commission recommendation stating the common interest in Austin should be maintained as the most beautiful City in the State. Austin is unique in its outstanding beauty and Mount Bonnell adds to that asset by providing the most fantastic view of Lake Austin of any other location. The proposal would subdivide this area, and change the character of this area from rural to urban a beautiful drive would be changed into a City street, and Covert Park would become insignificant. He suggested financial aid through the Open Space Program, Water Conservation Program, or probably through the Endangered Species Act. He asked that negotiations immediately commence to acquire sufficient lands adjacent to Covert Park to preserve the natural character of the area and to assure the public's enjoyment of this remarkable scenic place; and that representatives of the group present today be kept informed. Communications were read asking the Council to acquire adequate properties adjacent to Covert Park on Mount Bonnell to provide continued enjoyment of the magnificent scenic beauty; to preserve the area for natural science field trips for children; to conserve the area for bird sanctuaries, historical sites, etc., from the architectural profession, South Central Texas District of Optimist International, Natural Science Center, Pathfinders' Club, Texas Ornithological Society and Travis Audubon Society. MR. FRANCIS MAY, President and speaking for the League of Women's Voters, supported the recommendation of the Planning Commission and stated development of a park here would be in conformance with the Master Plan, and urged the Council to accept the recommendation. MR. WILLARD CONNOLLY, owner and proposed developer of the property, had no statement to make at this time, stating he would wait until later in the meeting. MRS. F. CONNALLY BARKLEY, speaking for her husband who is president of the Heritage Society, felt that Austin's beauty was its greatest heritage, and asked the Council to consider the purchase of this land; and with the great development in northwest Austin, the need of greenbelts and parks would be greater ten years from now than at present. A representative from the Travis County Democratic Women's Committee joined the others in the request, as did DR. D. K. BRACE, setting out the necessity of buying land to keep the fine scenic drive along the area. Mayor Palmer stated if there were a governmental need the City should acquire the property or let the subdivider go on with his development; and this was something the Council would have to consider carefully, and it would have to ask the City Manager to check this to find the money it would be necessary to negotiate with the subdivider to see if the land could be purchased. He said if this is not acquired now it would be lost forever. The Council would meet with the subdivider, discuss the matter and come up with a decision at an early date. Councilman Shanks inquired if there were money now to buy this land. The City Manager stated there was not; that whatever money that might be used for this project would be taken from some other project; as every bit of the money available for the City for the next ten years is already earmarked for some project. Councilman Long stated when a great number of people throughout the City from different organizations and groups really desire something, it is just like people do in their homes. When one child comes in with a great need that had not been planned for, somehow the money can be found. She suggested some donations might be made, and maybe this would start a movement for Austin people to do something to get parks and preserve some of the great landmarks. Mayor Palmer announced the Council would give this very careful consideration and try to give an answer on it at a very early date.

Pursuant to published notice thereof the following zoning applications were publicly heard:

GLEN-PARK PROPERTIES, INC., By Richard L. Matz	8503-8507 North Interre- gional Highway	From "A" Residence 1st Height & Area To "GR" General Retail 5th Height & Area (As amended) RECOMMENDED by the Planning Commission
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Councilman White moved that the change to "GR" General Retail 5th Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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JAMES E. CROZIER	2620-2734 Anderson Lane	From "A" Residence To "GR" General Retail
	2738-2748 Anderson Lane	From "A" Residence To "B" Residence RECOMMENDED as amended by the Planning Com- mission

Councilman White moved that the change to "GR" General Retail for 2620-2734 Anderson Lane and to "B" Residence for 2738-2748 Anderson Lane be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail for 2620-2734 Anderson Lane and to "B" Residence for 2738-2748 Anderson Lane and the City Attorney was instructed to draw the necessary ordinance to cover.

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WINIFRED O. GUSTAFASON	925 East 41st Street Additional Area 927 East 41st Street	From "A" Residence To "GR" General Retail RECOMMENDED by the Planning Commission
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Councilman Long moved that the change to "GR" General Retail be granted.

The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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JACK ANDREWARTHA	600-618 West 51st Street	From "A" Residence
	5100-5104 Guadalupe	To "BB" Residence
	Street	RECOMMENDED by the
		Planning Commission

Councilman Shanks moved that the change to "BB" Residence be granted.
The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "BB" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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TOM A. FAIREY	5522-5600 Manor Road	From "A" Residence
		To "B" Residence
		RECOMMENDED by the
		Planning Commission

Councilman Shanks moved that the change to "B" Residence be granted.
The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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BLANCHE C. GATLIN	2307 Rio Grande Street	From "B" Residence
ESTATE, By Leo Herzog	Additional Area	2nd Height & Area
and Company	2311 Rio Grande Street	To "O" Office
		2nd Height & Area
		RECOMMENDED by the
		Planning Commission

Councilman White moved that the change to "O" Office 2nd Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "O" Office 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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JAMES T. ROBINSON, III	906-912 East 30th Street	From "C" Commercial
By Ronald Tynes		6th Height & Area
		To "O" Office
		3rd Height & Area
		(As amended)
		RECOMMENDED by the
		Planning Commission

Councilman White moved that the change to "O" Office 3rd Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "O" Office 3rd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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HOUSING AUTHORITY OF	81-89 Trinity Street	From "B" Residence
AUSTIN, By Charles F.	90-94 Neches Street	2nd Height & Area
Herring		To "C" Commercial
		4th Height & Area
		RECOMMENDED by the
		Planning Commission

Councilman White moved that the change to "C" Commercial 4th Height and Area be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 4th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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ELBERT MADISON
By John B. Selman

3601-3609 East 19th St.
1809-1813 Redwood Ave.

From "A" Residence
To "GR" General Retail
RECOMMENDED by the
Planning Commission

Councilman Shanks moved that the change to "GR" General Retail be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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P. E. WORSHAM
By Forrest N. Troutman

1314 Rosewood

From "A" Residence
2nd Height & Area
& "C-1" Commercial
2nd Height & Area
To "B" Residence
2nd Height & Area
RECOMMENDED by the
Planning Commission

Councilman Shanks moved that the change to "B" Residence 2nd Height and Area be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "B" Residence 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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V. E. AHLGRIMM

R. H. DEAR

Tract 1
806-808 West 17th Street
Tract 2
1707-1711 Pearl Street
Additional Area
1713 Pearl, 1701-1705
Pearl
810-814 West 17th Street
800-804 West 17th Street
1700-1702 West Avenue

From "A" Residence
To "B" Residence
RECOMMENDED by the
Planning Commission

Mr. Raymond Dear and Mr. Ahlgrimm appeared in behalf of the zoning. MR. GEORGE SHELLEY, 1700 West Avenue endorsed the change to "B" Residence. Councilman Long moved that the change to "B" Residence be granted. The motion, seconded by

Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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PATRICK H. DOWNING

Tract 1
814-818 East 32nd Street
3200-3204 Red River Street To "O" Office
From "A" Residence
1st Height & Area
2nd Height & Area

WILLIAM W. BOLLMAN

Tract 2
3206-3210 Red River St.
From "BB" Residence
1st Height & Area
To "O" Office
2nd Height & Area

VANCE FOX

Tract 3
3212-3218 Red River St.
From "BB" Residence
1st Height & Area
To "O" Office
2nd Height & Area
NOT Recommended by the
Planning Commission
RECOMMENDED "O" Office
1st Height & Area

Mr. Kenneth Fox represented the applicants stating it was necessary to have 2nd Height and Area. He showed plans for a 30 unit apartment for which spaces for 32 cars and four spaces for a service area will be provided. MR. CHARLES FANCHER, representing MR. GEORGE A. FANCHER, protested the change of zoning, stating traffic on Red River is already a tremendous problem, and the entrance of these apartments will be on Red River adding to the congestion prevalent now. He wanted to know if this change of zoning was one of speculation, or if this development were really intended. MR. FOX pointed out the advantage of this area's being zoned for apartments, noting the proximity to the schools and University. The traffic has already been created on Red River. Mr. Fox suggested that "no parking" signs be placed along the west side of Red River. It was hoped to have the apartments ready when school started in September, 1965. It was pointed out 40 apartments could be constructed under 2nd Height and Area. The Mayor asked if Mr. Fox would be agreeable to limit his construction to 30 units. Mr. Fox said he was not prepared to make that agreement; but according to their plans, only 30 units were anticipated. Councilman Long discussed this location with other locations on Red River, and noted the street had to be improved and straightened. It was pointed out 2nd Height and Area would permit a set back of 10' instead of 25'. After discussion, Councilman Long moved that the change to "O" Office 2nd Height and Area for Tracts 1, 2, and 3 be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "O" Office 2nd Height and Area for Tracts 1, 2, and 3 and the City Attorney was instructed to draw the necessary ordinance to cover.

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WALTER WENDLANDT

Tract 1
4409-4411 Russell St.

From "A" Residence
To "B" Residence

Tract 2
Rear of 1610-1707 Ben
White Boulevard

From "GR" General Re-
tail
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

Councilman Long inquired about this zoning, in that she did not believe the "B" zoning would be desirable. After explanation and discussion, Councilman White moved that the change to "B" Residence for Tract 1 and to "C-1" Commercial for Tract 2 be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "B" Residence for Tract 1 and to "C-1" Commercial for Tract 2 and the City Attorney was instructed to draw the necessary ordinance to cover.

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GEORGE H. WALKER
By Paul D. Jones

2401-2403 Lake Austin
Boulevard

From "O" Office
To "LR" Local Retail
RECOMMENDED by the
Planning Commission

MR. PAUL D. JONES represented the applicant pointing out the zoning presented no problem but the question comes under the conflict with the Town Lake Plan which shows this property to be set aside down the line for public acquisition. He stated since no funds were available that the zoning be changed, and they had filed a letter dedicating 10' of right of way on Deep Eddy Avenue with the City Attorney. The City Attorney made a brief report on the acquisition of the property stating the owner agreed to sell it; then changed his mind. Mr. Robert Sneed, representing the applicant in the sale of the property, reported on the negotiations, and a larger offer for the property than had been discussed with the City. The City Attorney also explained the efforts of trying to widen not only Deep Eddy Avenue but also Hearn, and to work out something by vacating Foster Street and exchanging square footage there for widening of Deep Eddy Avenue to still an additional 10'. Mr. A. E. Pihlgren, representing Mrs. Paggi in a zoning request, discussed briefly right of way and access as their application was concerned. He did not believe Hearn Street was a dedicated street. Finally, after more discussion, Councilman LaRue moved that the Council sustain the Planning Commission and grant the requested change with the letter filed on

the dedication of the 10' on Deep Eddy Avenue. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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R. C. WILSON

Tract 1
2501-2507 Red River St.
600 East 25th Street
2504-2506 Sabine Street

From "B" Residence
2nd Height & Area
To "LR" Local Retail
2nd Height & Area

WALTER STAEHEL ESTATE
By Frank Montgomery

Tract 2
Rear of 2505-2507 Red
River Street

From "B" Residence
2nd Height & Area
To "C-1" Commercial
2nd Height & Area
RECOMMENDED by the
Planning Commission

Mr. Montgomery distributed copies of a resume of his presentation to support this zoning. Councilman Long inquired about the curb on Red River. Mr. Montgomery said on 25th and Red River they would try to round that corner off. Councilman Long asked about the set backs. Mr. Montgomery said the larger buildings would be set back 50' or more; that they would not come any closer than what is required; but in most instances their buildings would be farther back. Opposition was expressed by Mr. Norman Jackson, 2408 Sabine, stating this was not commercial property as it is across the street from the Law Building, that this would be spot zoning, and the site would be better as an apartment house. He opposed a filling station and washateria's being located at this site. Mrs. Jackson asked that consideration be given to something that would beautify and help the Law Building. Mr. Montgomery had no opposition from the University, and it had been notified of this change, and Mr. Colvin was present earlier and made no statements. Councilman White moved that the change to "LR" Local Retail 2nd Height and Area for Tract 1 and to "C-1" 2nd Height and Area for Tract 2 be granted. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail 2nd Height and Area for Tract 1 and to "C-1" 2nd Height and Area for Tract 2 and the City Attorney was instructed to draw the necessary ordinance to cover.

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HARDY M. SMITH

2905 San Gabriel Street

From "BB" Residence
To "O" Office
NOT Recommended by
the Planning Commission

Mr. Smith appeared in his own behalf and described the commercial development on Lamar Boulevard and the 40 - 50 year old houses, which are not now in an area suitable for residential. Because of such low rental on his building, the building is deteriorating. He wanted to convert this to office space. Mayor Palmer noted the Council had asked for a study of rezoning the whole area in this vicinity. Since the study, there had been several applications indicating that "BB" Residence is not the proper zoning. He stated at the same time the Council acted on this request, it could refer to the Planning Commission a request to consider what other properties are similarly situated. Councilman Long moved that the Council grant the zoning to "O" Office as requested and to ask the Planning Commission to study these areas, similar to the one where there was no development other than the recent change of 1962, and step them down a little bit more. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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ROY MILLER
By Richard Hooper

Tract 1
3400-3500 Manor Road
2200-2228 Anchor Lane

From "A" Residence
To "GR" General Retail
NOT Recommended by the
Planning Commission
RECOMMENDED "O" Office
with condition

RICHARD HOOPER

Tract 2
2212-2214 Palo Pinto Dr.
3317 Manor Road

From "A" Residence
To "GR" General Retail
NOT Recommended by the
Planning Commission
RECOMMENDED "O" Office
with condition

Tract 3
2215 Palo Pinto Drive
3401 Manor Road

From "A" Residence
To "GR" General Retail
NOT Recommended by the
Planning Commission
RECOMMENDED "O" Office
with condition

MR. SNEED represented the applicant, asking to amend Tracts 2 and 3 and ask for "LR". Tract 2 would be for a TV Sales Office, and Tract 3 will be used as a filling station site. The City Attorney stated the recommendation of "O" Office was made so that the Commission would be allowed to review the plot plans

The Mayor announced that the change had been DENIED.

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JOE ADCOCK AND
ASSOCIATES
By John Adcock

4807 South Congress Ave.

From "C" Commercial
6th Height & Area
To "C-1" Commercial
6th Height & Area
NOT Recommended by the
Planning Commission

Councilman Long moved that the change to "C-1" Commercial 6th Height and Area be DENIED. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been DENIED.

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E. A. GRIMMER

823-829 Houston Street

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

MR. FRED WERKENTHIN represented the applicant describing the location, and the building which was constructed with the idea of providing a teenage club. Its construction is such as would be in connection with dancing or a dinner club, and is not suitable for any use other than a dinner club. The Teenage Club was not a profitable operation, and the building could be used as a supper club for adults with no teenagers, and it has been devoted to that use for the past six and a half weeks, this use being permitted by the present zoning. People bring their own bottled alcoholic drinks and drink on the premises. Mr. Grimmer is asking that he be permitted to sell beer, and the granting of the application will not change the use to which the property is now being put. Mr. Grimmer has negotiated with the Nash's for vacant land across the street for parking area, and he plans to have an attendant to park the automobiles. As to any detriment to McCallum School, Mr. Werkenthin said there was no complaint from the school, and that beer was already in that neighborhood. A petition from customers of The Torch was on file asking for this change. MR. MALCOLM ROBINSON, representing a large group of homeowners, introduced his clients who were present. He referred to a petition filed before the Zoning Committee objecting to this zoning, and another which had not yet been filed. He had a letter filed by the operator of Travis Motor Courts read protesting the zoning, and stating there were trespassers over their property now from the existing establishment under question. Mr. Robinson stated Houston Street was a feeder street into Lamar and this would be the first instance of beer being permitted in that regard. In discussing the parking, Mr. Robinson said there was only an option to purchase the Nash property for parking. He said this application is merely to permit a beer joint in a residential neighborhood; and unlike a commercial establishment, closing around

5:00 P.M., this would be open late at night. He asked the Council to visit this place, and to see the homes that would be adversely affected. Opposition was expressed by MRS. DOROTHY BLACKBURN, who stated before the land under option was sold, it would have to be subdivided; in bad weather, people would not use that unpaved area for parking, but would park in the street and the place would be open on Sunday afternoon. McCallum students park in the street already; and parking from this establishment would add to the congestion. A student at the University, living at 900 Houston Street protested the change. MR. WERKENTHIN stated the club would not open on Sunday; as soon as the transaction is closed, the parking area will be paved; the property is not surrounded by residential property, except some on the west; the operation is not a beer joint but a supper club; that there is a barbed wire fence between his property and the motel, and the trespassers would not be coming from his place. What he is asking creates no change in the present use of the operation, and the incidental sale of beer would not change any conditions. He said to withhold this permit on the grounds of the objections would be violating the rights that Mr. Grimmer has in the property. Mayor Palmer asked if there were any objections to the management of the operation as it is now. One lady said the teenagers who had paid for membership would still be able to go there. Mr. Werkenthin replied the teenagers did not have that kind of understanding with Mr. Grimmer, as they are not allowed on the premises. Mr. Robinson said this would be a different type of operation from a bottle club for couples or groups of people, and would be an establishment where people would come and stay all evening. Councilman Long stated if this were a legal dining place where beer was served, boys and girls would be allowed to go in and eat as it would be open to the general public. She noted it was only 465' from the school, and the street had only a 30' paving. The Mayor stated the Council would take a look and give an answer.

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ESTATE OF MAY BELLE
ALLEN, By Mrs. Lula
A. Smith, By Sidney
Purser, Attorney

1701-1703 Kinney Avenue

From "A" Residence
To "B" Residence
RECOMMENDED by the
Planning Commission

One of the property owners inquired about the use of this property after it is zoned, as the buyer may not want to put an apartment house in there as represented now. The City Attorney listed the uses permitted under "B" Residence zoning. MRS. PEARRIE STEVENSON expressed opposition as their cottage homes were nice and were being well maintained, and they would not know what type of renters would come into the neighborhood. MRS. BERTHA WALKER, and MRS. EDNA HADERMANN expressed opposition. Mayor Palmer stated the Council would look at this property and the area and make a decision later.

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January 28, 1965

K. C. SMITH
By Alvis Vandygriff

206-212 East 26 $\frac{1}{2}$ Street

From "B" Residence
3rd Height & Area
To "C" Commercial
3rd Height & Area
NOT Recommended by the
Planning Commission

MR. ALVIS VANDYGRIFF described the property and said Mr. Smith acquired the property for the purpose of building a boys' dormitory, that would be a credit to the community, and the architect displayed a drawing of the project which would accomodate 446 boys. "C" Commercial 3rd Height and Area is necessary for this construction. There is speculation relative to what the University was going to do with regards to acquiring this or other property in the area, and the legislature will be called upon to take action on the acquisition of this particular piece of property; but due to the uncertainty, he asked the Council to consider the zoning request. Mrs. Edna McRae had written in her comment. Dr. David Stitt, President, Austin Presbyterian Theological Seminary expressed interest in the property as pertained to open space, set back, and density of this small lot, and said they would cooperate with the University in its development should it acquire the property. Mr. James H. Colvin, Business Manager, University of Texas, read a paragraph he had written to the Planning Commission giving notice that the Board of Regents of the University of Texas, on October 23rd, 1964, voted unanimously to ask the legislature for permission to acquire by condemnation the property bounded on the north and east by San Jacinto, on the south by East 26 $\frac{1}{2}$ Street, and on the west by Speedway. The money is available and a Bill is being presented to the legislature for permission to buy this property. MR. C. T. USELTON spoke in favor of the zoning stating Mr. Smith's proposal would be an advantage to the neighborhood. This property laid idle for years, and no one made any attempt to purchase it. A property owner should not be jeopardized after he invested \$100,000 not knowing the University or the Seminary had any intentions to purchase the property. MR. JOHN L. ROSS, JR., stated Mr. Smith's proposition would be a good thing for the neighborhood and the City. Councilman Shanks stated he did not think any branch of the government should say it was going to need property and keep putting off its acquisition. The individual citizen is due more consideration. Councilman Long suggested that in a comprehensive plan the University took into consideration dormitories; and they may consider this location as a dormitory area privately developed. Mr. Vandygriff said he had been working closely with the University authorities. He filed a letter from the Business Manager of the Austin Independent School District dated January 6, 1965, stating that this property was offered to the University recently, and it was turned down. It is possible by next week there may be a different complexion. Mr. Vandygriff stated they wanted to have the dormitory completed by 1966. The Council wanted to look at the property and make a decision on it as early as possible.

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TONY STASSWENDER
By Ed Padgett

5001-5017 Bull Creek Road

From "A" Residence
1st Height & Area
To "O" Office
2nd Height & Area
& "B" Residence
2nd Height & Area
(As Amended)
NOT Recommended by the
Planning Commission

TONY STASSWENDER
(Continued)

RECOMMENDED "O" Office
1st Height & Area on
the north 100' (5007-
5013 Bull Creek Road;
and "B" Residence
1st Height & Area on
the south 125' at
5001-05 Bull Creek
Road)

MR. ED PADGETT accepted the recommendation of the Planning Commission. The trend is not to residential, and he contemplates building two story luxury types of apartments. He preferred 2nd Height and Area as zoned for other tracts in the area. MR. ED STEVENS, Chief of Plan Administration, explained the Commission's recommendation and its concern over the 2nd Height and Area in connection with the residential development. MR. SAM WOOD opposed the change of zoning and said there was a petition from all of the property owners on Finley within the 300' except one who was out of town, opposing this change, and those on Fresco Drive also object. He gave a background on the "O" Office and "C" Commercial zoning on Bull Creek Road, and the compromise which was to establish a buffer zone. The people were not heard on this amended application. As to the residential trend, there is not a business classification from this area on the west side of Bull Creek Road all the way down to 35th Street. The Council wanted to make an on site inspection of this area.

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H. L. BEAVER
By Barbara Brawner

2015-2019 Blue Bonnet
Lane

From "A" Residence
To "BB" Residence
NOT Recommended by the
Planning Commission

MRS. BRAUNER represented the applicant, stating in view of the argument that this was single family residential development. She found commercial lots, buildings, 11 duplexes, 24 single family dwellings and several large undeveloped tracts. Six of the 24 single family dwellings are rental units. She did not agree that "BB" Residence would be inconsistent with the development of the area. It had been suggested that the property owners get together and develop a street in there. MR. R. H. STEWART, 2013 Blue Bonnet Lane objected to an apartment development and asked that Mrs. Brawner help develop that street. He said he would give right of way but he did not have the money to develop a street. The Mayor asked if he would be willing to do the curb, gutter and paving on his side, and he said he would, as he had signed a petition to get the street. Regarding the paving Mrs. Brawner said their property was in the middle of an old area, and she did not believe people who were investing \$3 or \$4,000 for a lot would want to go through this old area to get into this development. She planned a 10 unit apartment which would be nice, and the neighbors would like it. Discussion on the street development was held, but nothing worked out. Mr. Fred Wong favored the change of zoning requested by Mrs. Beaver and said he would be ready to open up a street anytime, donate some ground and pave it. The Mayor stated the Council would look at this area and make a decision later.

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F. E. BRISBON

706 West St. Johns Ave.

From "A" Residence
To "GR" General Retail
RECOMMENDED by the
Planning Commission

Councilman Long inquired about the widening of the street, and if the people had indicated an interest in doing their part about the widening. MR. ED STEVENS, Chief of Plan Administration, stated about 15 or 20' would be needed from each side. The City Attorney suggested that the Council might want to look at this in view of the street widening. No action was taken on this zoning at this time.

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ELLEN H. PAGGI

2405-2407 Lake Austin
Boulevard

From "A" Residence
To "IR" Local Retail
(As amended)
RECOMMENDED by the
Planning Commission

By Arthur E. Pihlgren

MR. PIHLGREN, later in the afternoon meeting, stated his client could not give up 10' for right of way on Hearn Street, that he had discussed this street with the engineers developing the University Housing, and their statement was that their plans were to move west off the Paggi line 10', construct a curb, and move another 30' drive. The engineers say the University claims the land, and they are putting in the street. The City Manager said there were some houses at the south end of the street. Mr. Pihlgren said the engineers were concerned about these houses and that is the reason they are putting that street in. As to entrances, Mr. Pihlgren said his client had no plans to use exits or entrances on the alley (Foster Street), and they will negotiate with the University for permission to go across this 10' strip of land between the Paggi property and the curb. Councilman LaRue suggested getting a letter from the University indicating what they were going to do. Mr. Pihlgren's option was up on February 1st, but he believed he could get it extended until next week.

The Council recessed.

RECESSED MEETING

The Council resumed its business.

Discussion of the request of the Austin Natural Science Center to barricade STRATFORD DRIVE for Safari from 10:00 A.M. to 7:00 P.M. on March 20th and 21st was held. Councilman Long moved to grant the request of the Austin Natural Science Center on March 20th and 21st. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

January 28, 1965

(Recommendations attached)

"I, the undersigned, have reviewed the plans and have considered the application of Robert F. McDowell, who is the owner of property abutting on that part of Lake Austin lying approximately two miles upstream from the westerly extension of the south line of Windsor Road and known as a part of the Thomas Gray Survey No. 2 recorded in Volume 2257, page 507 of the Deed Records of Travis County, Texas, for permission to construct and maintain a boat house and pier projecting out into the lake approximately twenty-eight feet (28') beyond the normal high water level. The construction details meet all requirements, I recommended that if Robert F. McDowell is granted his request by the City Council, that it be subject to the following conditions:

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackles, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling, or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan
Dick T. Jordan
Building Official"

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager submitted the following:

"TABULATION OF BIDS
Sale of Houses
Bids Opened January 26, 1965

906 Sabine Street
Improvements only
One-story frame house

Earl Bradford		<u>\$40.00</u>
Cashier's Check	\$16.70	
Oliver O. Weed		\$ 7.50
Personal M.O.	\$ 0.38	

January 28, 1965

908 Sabine Street
Improvements only
Sheet metal storage
building

Earl Bradford
Cashier's Check \$16.70 \$169.00

Mrs. Adele Wright
Bondified M.O. \$20.00 \$100.00

Edward M. Horne
Bondified M.O. \$ 3.88 \$ 77.50

Thomas B. Pool
Cashier's Check \$ 5.50 \$ 77.00

Allie Alexander
Personal M.O. \$ 3.81 \$76.20

George C. Joseph
Cashier's Check \$30.00 \$ 68.50

Phillip Barho
Cashier's Check \$10.00 \$ 41.00

Joe B. Kopycinski
P.M.O. \$ 1.80 \$ 36.00

Street Furniture Co.
Cashier's Check \$31.06 \$ 31.06

Bill Lynas
Republic M.O. \$ 1.50 \$ 22.00

2301 Haskell Street
Improvements only
One-story frame house
and other buildings on
premises

Howard D. Tomerlin
P.M.O. \$18.80 \$174.00

Thomas B. Pool
Cashier's Check \$ 5.50 \$ 33.00

108 Chicon Street
Improvements only
One-story frame house
and garage

Howard D. Tomerlin
P.M.O. \$18.80 \$202.00

Robert Smith
Cashier's Check \$ 5.00 \$100.00

Oliver O. Weed
Personal M.O. \$ 1.75 \$ 35.00

2308 Rosewood
Improvements only
One-story frame
house

No bids

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 26, 1965, for the sale of city-owned houses; and,

WHEREAS, the bids of Earl Bradford in the sum of \$40.00 for house located at 906 Sabine Street and in the sum of \$169.00 for house located at 908 Sabine Street, and the bids of Howard D. Tomerlin in the sum of \$174.00 for house located at 2301 Haskell Street and in the sum of \$202.00 for house located at 108 Chicon Street, were the highest and best bids therefor, and the acceptance of such bids has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

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

That the bids of Earl Bradford and Howard D. Tomerlin be, and the same are hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute contracts, on behalf of the City, with Earl Bradford and Howard D. Tomerlin.

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager announced that next Thursday at 12:00 noon, the Lions Club had invited the Council to attend their luncheon and pay honor to Ed Knebel, and that letters of appreciation of his devotion to and efforts in behalf of baseball in Central Texas should be sent to Mr. Knebel, in care of the Lion's Club, 312 Austin Hotel.

The City Manager announced the Texas Municipal League Legislative Council had scheduled a breakfast at the Commodore Perry, 8:00 A.M., February 1st, for a briefing session on the bills introduced thus far that affect cities. Each member of the Council would invite one member of the Travis County Delegation and be sure of his attendance. Each Council Member named the Legislator for whom they would be responsible.

It was announced that on February 11th, the Regional Meeting of the Texas Municipal League would be at Taylor, Texas, beginning at 6:30 P.M.

The City Manager reported receipt of a letter from Mrs. Fagan Dickson, Chairman of the Parks Board, recommending a policy on use of park and public lands for construction of buildings and or other facilities by private groups. Councilman Long stated these had been received also in the Minutes of the Park Board, and she suggested studying them for another week.

The City Manager said copies of another memorandum from Mrs. Dickson had been furnished the Council, stating that the Parks and Recreation Board had recommended that the Bait and Tackle Shop at Riverside and Lamar be removed. Mrs. Dickson seemed to be under the apprehension that landscaping would be done in that area; but the City Manager was not aware of such. Plans for landscaping in front of the Auditorium extending to Bouldin Avenue are underway, but there are no funds for additional areas this year. The City Manager explained what the contract called for and what had been scheduled for this year. Councilman Long suggested giving the Bait and Tackle Shop owner notice so the operator would have time to find another location. The City Manager stated the operator was aware of pending development; however it was not intended to do anything with that site for some time yet. The Mayor stated if this is a month to month contract, there would be no point to notify a year in advance; and if the plans are just to landscape to Bouldin this year, that could be done; and the matter of the bait house could be taken up then. The City Manager pointed out two items concerning this improvement--the capital outlay of making the improvements and the maintenance expense, and that had been scheduled in such a way that the increasing expenses every year could be absorbed.

January 28, 1965

The City Manager reported the Public Works Department was going to do the excavation and earth moving. Councilman Long suggested making an estimate and putting it out on bids to see if it could be done cheaper. The City Manager stated the job would be delayed somewhat to write specifications for taking bids. The City can move earth per cubic yard cheaper than it could pay a contractor to do it. The sodding work and laying out of sidewalks probably will be let out on special contract. Councilman LaRue asked if this would interfere with other work in the Public Works Department. The Director of Public Works stated it would not at this time of the year. The City Manager said any contractor who would bid, would bid high enough to cover any cost of any unknowns involved. After discussion, Councilman Shanks moved to proceed with the beautification with City forces. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman Long made the following statement regarding her vote:

"I personally would rather see us take bids to see just how much we would get it done from a private standpoint; and if our bid estimate is under that, then we could do it. I am going ahead and vote for it because I want it to go ahead, but I am disappointed that we are not taking bids on it. I think it would put our Department in better light, put our City in a better light, and make our Parks Board happy."

Mayor Palmer stated this was an essence of timing.

The City Manager stated next Thursday afternoon, if the Council could, they would plan to meet with MR. TOM WOOD with the Highway Department Transportation Planning Office and review these transportation plans. It was suggested to meet at 2:30 P.M. next Thursday, at the Western Republic Building.

Mayor Palmer inquired about the problem of MR. REX KITCHENS. The City Manager stated the Director of Public Works had a meeting set up in the morning with Mr. Kitchens, Mr. Granger, and Mr. Jordan to work this out.

There being no further business Councilman Shanks moved that the Council adjourn. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 5:50 P.M., subject to the call of the Mayor.

APPROVED

Lucien E. Palmer
Mayor

ATTEST:

Edith W. Mosley
City Clerk