

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 20, 1957
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

Present also: Reuben Rountree, Jr., Acting City Manager; Doren R. Eskew, City Attorney.

Invocation was delivered by REV. LAWRENCE BASH, University Christian Church, 2007 University Avenue.

Councilman White moved that the Minutes of June 13, 1957 be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

MR. KURT MEYER appeared before the Council regarding assessment paving and taxes. The Mayor stated his particular problems would be looked into. The matter was discussed, and the taxing policy was explained.

MRS. C. P. SANDERS appeared before the Council regarding the Airport expansion which involved her property on Kleberg Lane near Marlow Heights, and asked why her property was being taken, while three other tracts were being skipped. The City Attorney stated this property would also be included. She made inquiry as to price, and the City Attorney compared prices paid for other tracts and the price to be paid for her land was in line. Other properties had had improvements on them. She was referred to the Legal Department to work out an arrangement for keeping the horses on the land.

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

MRS. JEAN GOODMAN	1109 Justin Lane	From "A" Residence To "LR" Local Retail NOT Recommended by the Planning Commission
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Mrs. Goodman represented herself. Opposition was expressed by R. M. HODGSON, MRS. ELIZABETH ROBERTS and MR. J. D. MEDCALF. The Mayor asked those who wished to grant the change to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: None

Noes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

The Mayor announced that the change had been DENIED.

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WILLIAM SHIVE	1700 West 34th Street 3400-02 Jefferson	From "A" Residence To "O" Office RECOMMENDED by the Planning Commission
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Mr. Sam Harris, purchaser, represented the applicants, who were also present. Opposition was expressed by Mr. Fred Isely who represented property owners in the area protesting the change. Mrs. Mary A. Straus, Mr. Chester LeRoy Zeigler, Mrs. Virgil D. Call also opposed. Mrs. Dorothy Aycock appeared in favor of the change as she and Mrs. Harris wish to establish a gift shop there. The Council deferred action until it could make a personal inspection of the property.

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LYDIA HASTINGS	5510-12 Jeff Davis	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission
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Mr. Hastings appeared in his own behalf. Mr. Eugene Belcher and Mrs. Huff, speaking for her land lord, Mr. Dudley, favored the change. Mr. Hastings wanted to manufacture and sell ornamental cement articles. The Council deferred action until it could make a personal inspection of the property.

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JESSE MITCHELL	6900-02 Guadalupe 600-04 Kenniston Dr.	From "A" Residence To "LR" Local Retail RECOMMENDED
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Mr. Mitchell represented himself, and wanted to build a little office and plumbing shop. Opposition was expressed by Mrs. Roy Barker, Mrs. Whited,

and Mr. J. F. Shields. The Council deferred action until it could make a personal inspection of the property.

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MACE B. THURMAN

906 Clermont Avenue
40 San Marcos Street
& 42-44 Interregional
Highway

From "A" Residence
To "GR" General Retail
SMA Height & Area
RECOMMENDED by the
Planning Commission

The Mayor asked those who wished to grant the change to "GR" General Retail SMA Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

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

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MRS. MATTIE COLEMAN

503-07 West 55th Street
5417-19 Guadalupe

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

The Mayor asked those who wished to grant the change to "B" Residence to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced 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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GAYNELL H. McDONALD &
SAM McDONALD

800-916 East St. Johns
7201-7321 Interregional
Highway

From "C" Commercial &
"A" Residence
To "D" Industrial
RECOMMENDED by the
Planning Commission
Except for E.15'

The Mayor asked those who wished to grant the change to "D" Industrial for all except the East 15' which is to remain "A" Residence, to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "D" Industrial for all except the East 15' which is to remain "A" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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BERNARD J. HILLEN	1007 West 32nd Street	From "C" Commercial To "A" Residence NOT Recommended by the Planning Commission
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Councilman Long moved that this request be granted to where it will be returned to "A" Residence. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

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

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FRED D. MANN	1104 Navasota Street	From "A" Residence To "C" Commercial RECOMMENDED by the Planning Commission also to include Lot 8
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Councilman Long moved that the recommendation of the Planning Commission be accepted and also include Lot 8. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C" Commercial Lot 8 included, and the City Attorney was instructed to draw the necessary ordinance to cover.

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NASH PHILLIPS & CLYDE COPUS	5915-35 Manor Hills Blvd. & 1801-1945 Briarcliff Blvd.	From "A" Residence To "GR" General Retail 6th Height & Area RECOMMENDED by the Planning Commission
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The Mayor asked those who wished to grant the change to "GR" General Retail 6th Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

The Mayor announced that the change had been granted to "GR" General Retail 6th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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CITY OWNED PROPERTIES	1104 Flores Street	From "A" Residence
	31-43 Interregional	To "GR" General Retail
	Highway, 1008 & 1011-	RECOMMENDED by the
	13 Clermont	Planning Commission

The Mayor asked those who wished to grant the change to "GR" General Retail 1st Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

The Mayor announced that the change had been granted to "GR" General Retail 1st Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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PLANNING COMMISSION	800 & 900 Blocks Flores	From "A" Residence
	800 & 900 Blocks Cler-	To "GR" General Retail
	mont, East side 30 & 40	2nd Height & Area
	Blocks East Avenue, West	RECOMMENDED by the
	side 40 Block Interre-	Planning Commission
	rional Highway	

The Mayor asked those who wished to grant the change to "GR" General Retail 2nd Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
 Noes: None

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

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No hearing was held on the following application as the applicant was not present:

G. C. PROCK	1105D-1109D Springdale	From "A" Residence
	Road	To "D" Industrial
		NOT Recommended by the
		Planning Commission

The Mayor announced that the following zoning application had been postponed and reset for public hearing for June 27th:

PETITION OF G.W.
MODESETTE, et al

7600-7812 Gault Street
1301-13 Anderson Lane
7600-7810 & 7601-7811
Tisdale Drive

From "D" Industrial 3rd
Height and Area
To "A" Residence 1st
Height and Area
RECOMMENDED by the
Planning Commission for
all except "LR" FOR 9
lots and "BB" for 2 lots

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction of a sanitary sewer line in the City of Austin to provide for the safe elimination of sewage in the Waller Creek watershed east of Duval Street in the City of Austin, and north of East 41st Street in such city; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of an easement 10 feet in width across the west ten feet of the hereinafter described tract of land for right of way to permit the construction of the aforesaid sanitary sewer line; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value of such easement; 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 all owners and lienholders, a suit in eminent domain to acquire the hereinafter described easement for sanitary sewer purposes across the hereinafter described tract of land;

The West ten (10) feet of that certain tract of land out of Outlot 14 in Division C 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, which was conveyed to Margaret L. Moore by warranty deed dated July 8, 1932, of record in Volume 482, at page 283, Deed Records of Travis County, Texas. Together with a temporary working space easement twenty (20) feet in width, parallel and adjacent to the East side of the above described easement.

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "B" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT ON THE NORTH 64 FEET OF LOTS 3 AND 4, BLOCK 130, ORIGINAL CITY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING

REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT ON A PORTION OF LOT NO. 48 IN THEODOR LOW HEIGHTS, A SUBDIVISION OF A PORTION OF THE ISAAC DECKER LEAGUE, LOCALLY KNOWN AS 1700-1704 FORT VIEW ROAD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, JULY 17, 1941, AND RECORDED IN ORDINANCE BOOK "L", PAGES 152-174, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, WHICH ORDINANCE WAS AMENDATORY OF THAT CERTAIN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN PASSED BY THE CITY COUNCIL, APRIL 23, 1931, AND RECORDED IN BOOK "I", PAGES 301-318, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT ON A PORTION OF A 2.39 ACRE TRACT OF

LAND OUT OF OUTLOT 16, DIVISION B, LOCALLY KNOWN AS 3304-3308 OAK SPRINGS DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the third time and Councilman Plamer moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, White, Mayor Miller
Noes: Councilmen Long, Pearson

The Mayor announced that the ordinance had been finally passed.

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 14.67 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 18, 1957, for the construction of Airport Boulevard Sanitary Sewer, from Southern Pacific Railroad to East Twelfth Street; and,

WHEREAS, the bid of Heldenfels Brothers in the sum of \$47,475.90 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of the Water and Sewer Department and by the City Manager of the City of Austin; Now, Therefore,

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

That the bid of Heldenfels Brothers in the sum of \$47,475.90 be and the same is hereby accepted, and the City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Heldenfels Brothers.

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

No action was taken accepting bids for purchases of city-owned houses.

The Mayor complimented the fine work being done in the 10th ward by the Engineering Department. He noted at 4th and Canadian that the weeds were so high it was impossible to see around the corner, and reported that for attention.

The Acting City Manager reported on two paving projects--one on 47th between Avenue H and Duval, where 75.6% were signed up, and only one would not sign; and the other on East 48th, from Duval to Evans, where only one out of four had not signed. The Council informally agreed to go on with the paving of those two streets.

The Council recessed until 3:00 P.M.

Recessed Meeting

3:00 P.M.

At 3:00 P.M. the Council resumed its meeting.

MR. R. C. ROBINSON, Director Urban Renewal, Fort Worth, Texas, was present to discuss the Planning and Development Program. Present also were members of the Greater East Austin Development Committee, Mr. Wayne Golden, Director of Urban Renewal for the City; and Mr. Tom Graham, on the School Board. After much discussion, the Mayor recommended that Mr. Golden be authorized for the City to go ahead and make these applications for this small part and with a study to be made of the larger part; and then it will be known about what the costs will be, what would have to be done, and what would be necessary for a good job to be done; what would be the City's recommendations in the area, and what would be Mr. Robinson's. A meeting could be held then, and when the estimates were in, it could be determined whether to go ahead or not. If it were too expensive for the Government, it would be too expensive for the City. He suggested if the Council were agreeable, and the City Attorney advised, to go ahead and authorized the drawing up of that kind of agreement, asking Mr. Golden to go ahead in that six blocks and make a specific hurry-up matter to get started on that, finding what the costs will be and what will have to be done in there, and asking for the approval; also take the whole area and make a study on that. Councilman Long then moved that they instruct the Urban Renewal Officer (Mr. Golden) to proceed with the proceedings as outlined by the Mayor. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

There being no further business the Council adjourned at 5:00 P.M.
subject to the call of the Mayor.

APPROVED

Tom Miller.
Mayor

ATTEST:

Elise Mosley
City Clerk