

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 12, 1956  
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: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by DR. E. B. BRATCHER, Tarrytown Baptist Church, 2620 Exposition Boulevard.

Councilman White moved that the Minutes of July 3rd, and the Minutes of the Special Meetings of July 5th and July 9th be approved. The motion, seconded by Councilman Long, carried by the following vote:

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

MR. JACK SWENSON, President of the Junior Chamber of Commerce, asked permission to put pedal boats in Barton Creek, north of the bridge to a cable across the creek, a good piece from the mouth of the creek. The Jaycees were to receive 25% of the gross receipts, and this would be used in their recreational program to make further improvements in Zilker Park and Zilker Springs and to help on their recreation awards. MR. KENNETH WALLACE, Kiddy Land, also a member of the Jaycees, will be primarily in charge of operating the boats; and there is a special committee of members to help in operating the boats. Mr. Wallace will furnish proper insurance. From the revenue off the boats, the Jr. Chamber of Commerce planned also to install some lights on the creek bottom. The trips on these boats would begin at the cable and go to the bridge--cost 25¢ for about 15 minutes. Mr. Swenson stated the Director of Recreation and the Parks Board had recommended these pedal boats, and he asked that the Junior Chamber of Commerce be granted permission to place them in Barton Creek on a trial basis. Discussion on safety precautions for the children was held. Councilman Long moved that the City Manager be instructed to enter into an agreement with the

Jaycees to allow them to operate the pedal boats this season, and cover all aspects discussed. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Among details to be worked out was to decide on the age limit of children that could use these boats.

MR. LEO PETERSON, Austin Chamber of Commerce Highland Lakes Committee, read the following resolution:

"July 10, 1956

"Honorable Tom Miller  
Mayor of the City of Austin  
and  
Members of the Austin City Council

"The following Resolution was unanimously passed by the Highland Lakes Committee of the Austin Chamber of Commerce and endorsed by its Board of Directors at its monthly meeting on Tuesday, July 10, 1956, in the Colonial Room of the Driskill Hotel.

"WHEREAS, today there are more people engaged in boating than in any other participant sport

"AND WHEREAS, local boating activity has increased rapidly with approximately 2,500 current registrations on Lake Austin

"AND WHEREAS, there are limited boat storage facilities on Lake Austin to take care of this increase

"AND WHEREAS, The Highland Lakes Development Association is now engaged in an extensive publicity program in an attempt to bring more vacationers and boaters to our lakes

"AND WHEREAS, the present boat launching facilities on Lake Austin are inadequate and inconvenient to handle local boat trailer traffic as well as out-of-town boaters and vacationers

"THEREFORE BE IT RESOLVED:

"That the Honorable Tom Miller, Mayor of the City of Austin, and each member of the Austin City Council investigate immediately possible sites for new boat launching ramps on Lake Austin that are convenient and accessible and to urge the proper city department s to push to completion this project at the earliest possible date.

(Sgd) Louis N. Goldberg  
Louis N. Goldberg, President  
Austin Chamber of Commerce  
(Sgd) Leo Peterson  
Leo Peterson, Chairman  
Highland Lakes Committee"

Mayor Miller stated this had been brought to the attention of the Council, and thanked this group for working on the program, and stated the city would continue trying to secure a better launching site.

Mayor Miller introduced the following ordinance:

ORDINANCE NO. 560712-A

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, CALLING AN ELECTION FOR THE AUTHORIZATION OF GENERAL OBLIGATION BONDS OF THE CITY OF AUSTIN IN THE AMOUNT OF \$2,500,000.00 FOR THE PURPOSE OF CONSTRUCTING A MUNICIPAL AUDITORIUM AND ACQUIRING NECESSARY LANDS AND EQUIPMENT THEREFOR; CONVENANTING NEVER TO SELL REVENUE BONDS HERETOFORE AUTHORIZED IN THE EVENT GENERAL OBLIGATION BONDS ARE AUTHORIZED AT THE ELECTION CALLED; ENACTING PROVISIONS INCIDENT AND RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Pearson 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 Pearson 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 Pearson 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.

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

E. W. JACKSON

607-09 West 8th &  
705-07 Rio Grande

From "B" Residence  
To "O" Office  
RECOMMENDED by the  
Planning Commission

The Mayor asked those who wished to grant the change to "O" Office 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 "O" Office and the City Attorney was instructed to draw the necessary ordinance.

- - - - -

REV. S. L. DAVIS                      2603-09 East 12th St.                      From "A" Residence  
To "GR" General Retail  
RECOMMENDED by the  
Planning Commission

The Mayor asked those who wished to grant the change to "GR" General Retail 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 and the City Attorney was instructed to draw the necessary ordinance.

- - - - -

SOUTHLAND CORPORATION      7401-13 Burnet Road &                      From "C" Commercial  
2300-14 Pasadena Dr.                      To "C-1" Commercial  
RECOMMENDED by the  
Planning Commission

Opposition was expressed by Irene Keelen, on zoning which would permit consumption of beer on premises; but she withdrew her opposition for this application for beer off-premises. John Coats would object for sale of beer to be consumed at the location; otherwise he had no objection. The Mayor asked those who wished to grant the change to "C-1" 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 "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance.

- - - - -

JACK J. O'LEARY                      7907-21 Burnet Rd.                      From "A" Residence 1st  
To "GR" General Retail  
6th Height and Area  
RECOMMENDED by the  
Planning Commission

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.

- - - - -

DAVID NOZICK

2401 Blue Bonnet Lane

From "A" Residence  
To "C" Commercial 2nd  
Height and Area  
RECOMMENDED by the  
Planning Commission

The Mayor asked those who wished to grant the change to "C" Commercial 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 "C" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance.

- - - - -

PAUL C. WALTER

6724-28 Burnet Rd. &  
2401-05 Addison Ave.

From "A" Residence  
To "GR" General Retail 6th  
Height and Area  
RECOMMENDED by the  
Planning Commission

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.

- - - - -

LESTER WILLIAMS

1200-02 Koenig Lane &  
5900-02 Grover

From "A" Residence  
To "LR" Local Retail  
RECOMMENDED by the  
Planning Commission

The Mayor asked those who wished to grant the change to "LR" Local Retail 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 "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance.

- - - - -

CLIFFORD BIRDWELL	103 West 38th Street	From "B" Residence To "LR" Local Retail RECOMMENDED by the Planning Commission
-------------------	----------------------	---

Opposition was expressed by MR. TOM KELLAM for Mrs. D. M. Railey, and Mrs. R. B. Fruth; MR. R. S. DAVIS, 2100 San Gabriel; and MR. SEARIGHT. Mr. Birdwell appeared on his own behalf. The Council postponed decision so that the members could make a personal inspection of the property.

- - - - -

JENNIE A. SOPP	613-15 West 33rd St.	From "A" Residence To "O" Office NOT Recommended by the Planning Commission
----------------	----------------------	--

Opposition was expressed by Mrs. Lucile Wells, Mrs. W. A. Smith, and others. MR. GEORGE MILHIM appeared for Mrs. Sopp. The Council postponed decision so that the members could make a personal inspection of the property.

- - - - -

ALBERT J. BECKER, et al	4716-4724 & 4900-08 Bull Creek Road	From "A" Residence To "GR" General Retail NOT Recommended by the Planning Commission
----------------------------	--	---

The Council publicly heard Mr. Becker's zoning application and MR. RICKEY KEY withdrew the application as the abstract showed there were deed restrictions.

- - - - -

DAN E. McCASKILL	3106-3110 Red River & 819-821 East 32nd St.	From "A" Residence To "LR" Local Retail RECOMMENDED by the Planning Commission
------------------	--	---

MR. ROBERT SNEED represented the applicant. Opposition was expressed by Mr. Gordon W. Griffin whose home and vacant lot adjoined this property; Mr. W. L. Garrard, speaking for himself and for seven other property owners; Mr. Loren Winship, Mr. Paul G. Wassenich; Mr. W. E. Lewis, Mr. Roswell Miller, Mr. B. C. Swenson; Mr. Cecil Rotsch, representing Mr. P. H. Downing; Mrs. Pursell, and

others. As to amending the request to "BB" several stated they had no objections to this classification. The Attorney requested that the application be changed to "BB" Residence instead of "LR" Local Retail. The Council set this for hearing on August 16th to be heard as "BB" Residence.

- - - - -

MR. R. E. HUBBELL, representing Stromberg-Carlson Sound System came before the Council regarding the bids on the sound system of the Auditorium. MR. GARY HANSON expressed interest in the bidding of this system. At 3:00 P.M. the Council recessed until 4:30 P.M. in order to meet with the Architects and Mr. Hubbell, and MR. LANE, consultant to the Architects.

#### Recessed Meeting

4:30 P.M.

The Council met with the Architects of the Auditorium, Mr. Lane, (Bonner and Lane) and Mr. Hubbell. The matter of equipment, quality, etc, was discussed in minute detail. It was suggested that the specifications be written up without naming a specific manufacture, but by description of the quality and performance, when new bids were taken. It was stressed that the Council wanted the very best in this equipment. The Mayor stated it must be recommended by the Architects and specialists; that if some company bids something that they can approve, that is fine; if they do not, then the Council would have to be guided by what the architects and specialists recommend. Mr. Hanson and Mr. Hubbell expressed appreciation to the Council and felt that this manner of writing the specifications was fair and they were satisfied.

The Council noted that the following zoning application had been withdrawn:

EVERETT WESTBROOK	5301 Avenue F &	From "A" Residence
	200-02 East 53rd St.	To "O" Office

Councilman White offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, certain drainageway easements were reserved and dedicated to the public on a map or plat of Saint Louis Heights, same being a Resubdivision of a portion of Blue Ridge Heights, a Subdivision of portion of the George W. Spear League, in the City of Austin, Travis County, Texas, according to a map or plat of said Saint Louis Heights, of record in Book 7 at page 69, Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has heretofore granted the City of Austin by separate instrument enclosed drainageway easement at more desirable and practical locations, and has requested that the drainage way easements located on such premises be released; and,

WHEREAS, the hereinafter described easements are not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a release of the drainageway easement located on the hereinafter described strips of land, to wit:

- No. 1 Being the north five (5.00) feet of Lot 5, Block A of the said Saint Louis Heights.
- No. 2 Being the south five (5.00) feet of Lot 6, Block A of the said Saint Louis Heights.
- No. 3 Being the north five (5.00) feet of Lot 4, Block B of the said Saint Louis Heights.
- No. 4 Being the south five (5.00) feet of Lot 5, Block B of the said Saint Louis Heights.
- No. 5 Being the south five (5.00) feet of Lot 14, Block B of the said Saint Louis Heights.
- No. 6 Being the north five (5.00) feet of Lot 15, Block B of the said Saint Louis Heights.

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

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH LESLIE VON ROSENBERG; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Pearson 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 Pearson 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 Pearson 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 AUTHORIZING THE CITY MANAGER TO ENTER  
INTO A CERTAIN CONTRACT WITH B. M. S. DEVELOPMENT  
CO.; PROVIDING FOR THE APPROPRIATION OF MONEY PAID  
TO THE CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLAR-  
ING AN EMERGENCY.

The ordinance was read the first time and Councilman Pearson 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 Pearson 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 Pearson 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.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain drainageway easement was granted and conveyed to the City of Austin by that certain instrument of record in Volume 1201, page 145-147, Deed Records of Travis County, Texas, on a portion of Lot 54 of Duval Heights, a Subdivision of a portion of the James P. Wallace Survey, in the City of Austin, Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has requested that said drainageway easement located thereon be released; and,

WHEREAS, the hereinafter described portion of said easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

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

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to execute a release of the drainageway easement located on the hereinafter described premises:

360 square feet of land, more or less, same being out of and a part of Lot 54 of Duval Heights, a Subdivision of a portion of

the James P. Wallace Survey, in the City of Austin, Travis County, Texas, according to a map or plat of said Duval Heights of Record in Book 2 at page 189, Plat Records of Travis County, Texas, said 360 square feet of land also being out of and a part of that certain easement for drainage purposes conveyed to the City of Austin by instrument dated August 1, 1951, of record in Volume 1201 at page 145-147, Deed Records of Travis County, Texas, which 360 square feet of land is more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the Southwest corner of said Lot 54 of Duval Heights;

THENCE with the West line of said Lot 54, North  $39^{\circ} 14'$  East to an iron stake on the West right of way line of the Interregional Highway, said West right of way line being a curve whose angle of intersection is  $21^{\circ} 58'$ , whose tangent distance is 1092.69 feet, and whose radius is 5630.16 feet;

THENCE following said curving West right of way line of the Interregional Highway to the right an arc distance of 53.02 feet, the subchord of which arc bears South  $24^{\circ} 27'$  West 53.02 feet to an iron stake on the South line of said Lot 54;

THENCE with the South line of said Lot 54, North  $60^{\circ} 17'$  West 13.80 feet to the point of BEGINNING.

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

The City Manager submitted the following tabulation of bids:

"Bids were opened June 28 at 2:00 p.m., for two 10,000 KVA Power Transformers, Those bids are tabulated as follows:

"BIDDER	BID PRICE	DELIVERY	COST EVALUATED IN ACCORDANCE WITH SPECIFICATIONS
Westinghouse Electric Corporation	76,597.00	18 Weeks	76,627.88
Allis-Chalmers Mfg.Co.	76,597.00	9 Weeks	76,621.00
Priester Supply Co.	76,597.00	16 Weeks	76,627.88
General Electric Co.	76,597.00	Nov.1956	76,597.00

"All bidders quoted price in effect at time of shipment with the price increase not to exceed 10%. All bidders except Priester Supply Company quoted FOB factory with freight allowed. Priester Supply Company quoted FOB Austin.

"The column on the right above shows the relative cost of each transformer after the losses were evaluated in accordance with the City Specifications for this transformer.

"I recommend that we accept bid of General Electric Company as the best bid submitted for \$76,597.00 and that we purchase 2 transformers for additional transformation at Hancock and Cardinal Lane Substations.

"(Sgd) D. C. K.  
D.C. Kinney, Director  
Electric Utility

"Approved:  
(Sgd) W. T. Williams, Jr., City Manager"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 28, 1956, the City of Austin received bids for the furnishing of 10,000 KVA Power Transformers; and,

WHEREAS, an evaluation of the bids received for such equipment in accordance with specifications, shows the bid of General Electric Company in the amount of \$76,597.00 per transformer, to be the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Electric Utility 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 Bid of General Electric Company in the sum of \$76,597.00 per transformer be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin, is hereby authorized and directed to execute a contract on behalf of the City of Austin with General Electric Company for the purchase of two 10,000 KVA Power Transformers for installation at Hancock and Cardinal Lane Substations.

The motion, seconded by Councilman Pearson, carried by the following vote:  
Ayes: Councilmen Palmer, Pearson, White, Mayor Miller  
Noes: Councilman Long

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by the Tarrytown Boat Club, Inc. as described in the Travis County Deed Records and known as Lot 38, Tarrytown River Oaks subdivision, on the shore of Lake Austin, and hereby authorizes the said Tarrytown Boat Club to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and

health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said Tarrytown Boat Club has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas  
July 12, 1956

"Mr. W. T. Williams,  
City Manager  
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application the Tarrytown Boat Club, Inc., by Karl E. Henion, President, owners of a piece of property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road, the same being Lot 38, Tarrytown River Oaks subdivision, as listed in the Travis County Deed Records; for permission to construct and maintain a boat dock projecting out into the lake approximately 50 feet beyond the normal high water level. The construction details meeting all requirements, I, therefore, recommend that if the Tarrytown Boat Club, Inc. is granted their request by the City Council, that it be subject to the following condition:

"(1) That nothing but crosoted 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 restuarant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, 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,  
(Sgd) J. C. Eckert  
Building Inspector"

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

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

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

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the southwest corner of the intersection of West Lynn Street and West 12th Street, which property fronts 170.0 feet on West Lynn Street and 90.5 feet on West 12th Street, and being known as a portion of the George W. Spear League in the City of Austin, Travis County, Texas, and hereby authorizes the said Gulf Oil Corporation to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if after hearing it is found by the City Council that the said Gulf Oil Corporation has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"July 12, 1956

"Mr. W. T. Williams, Jr.  
City Manager  
Austin, Texas

"Dear Sir:

"We, the undersigned have considered the application of the Gulf Oil Corporation for permission to construct, maintain and operate a drivein gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the southwest corner of the intersection of West Lynn Street and West 12th Street, which property fronts 170.0 feet on West Lynn Street and 90.5 feet on West 12th Street, and being known as a portion of the George W. Spear League in the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Gulf Oil Corporation and we hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Gulf Oil Corporation be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways: building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles therefrom while said motor vehicles are standing on any part of a sidewalk, street, or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2-- C - 2127.

"(6) Expansion joints shall be constructed as shown upon the plan hereto attached, marked 2 - C - 2127 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,  
(Sgd.) S. Reuben Rountree, Jr.  
Director of Public Works  
(Sgd.) J. C. Eckert  
Building Inspector"

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

Councilman Pearson reported on his contact with one of the Hyde Park Churches regarding taxes. The Church had purchased the property in 1954 and was sent a bill in 1956. He had explained to them the City Attorney's ruling on the matter.

The Director of Public Works filed the Voluntary Paving Report for June.

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Plan Commission and set for hearing before the Council for August 9th:

S. GUY KONE	8229-8303 N. Lamar Blvd.	From "A" Residence 1st Height & Area To "D" Industrial 6th Height & Area
EDWARD JOSEPH	4100-4222 Jackson Ave. 4300-4310 Bull Creek Rd.	From "A" Residence To "C" Commercial
SPURGEON BREED, et al	1304-1308 Koenig Lane & 5901-5903 Woodrow	From "A" Residence To "LR" Local Retail
MRS. A.H. SCHUMANN, et al	5301-03 Avenue "F" 5300-02 & <del>5212</del> 5303 Ave "G" 5212-5302 Avenue "H" & 2000306 & 301-07 E. 53rd St.	From "A" Residence To "LR" Local Retail
ALEX DOCHEN	5308-5320 Burnet Road	From "C" Commercial To "C-1" Commercial
T. E. KING	1607-09 Webberville Road	From "A" Residence To "LR" Local Retail
NELSON PUETT	900-12 Banyon Street	From "A" Residence 1st Height & Area To "D" Industrial 2nd Height & Area
RAYMON W. SMITH, et al	131-133 West Oltorf	From "A" Residence 1st Height & Area To "GR" General Retail 2nd Height & Area
D. H. BRYANT	2310-2316 Rebel Road 500-516 E. Oltorf	From "A" Residence To "LR" Local Retail
MRS. C. J. BERRYMAN	2512 Nueces Street	From "B" Residence To "C" Commercial
WALLACE L. MAYFIELD	2825-41 Hancock Drive 5012-18 Bull Creek Road	From "A" Residence To "O" Office

There being no further business the Council adjourned at 6:30 P.M.  
subject to the call of the Mayor.

APPROVED

Tom Miller  
Mayor

ATTEST:

Elin Thosley  
City Clerk