

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

July 19, 1956
10:00 A. M.

Council Chamber, City Hall

THE STATE OF TEXAS }
COUNTY OF TRAVIS :
CITY OF AUSTIN }REGULAR MEETING

ON THIS the 19th day of July, 1956, the City Council of the City of Austin, Texas, convened in Regular Session, at the regular meeting place thereof in the City Hall. The meeting was called to order, with Mayor Miller presiding. The roll was called showing the following:

PRESENT: Tom Miller, Mayor, Ben White, Councilman, Emma Long, Councilman, Lester E. Palmer, Councilman

ABSENT: Wesley Pearson, Councilman

when, among other proceedings had, were the following:

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin, Texas, has heretofore on the 23rd day of February, 1956, entered into a contract with Maufrais Brothers, Inc., Contractors, Austin, Texas, for the general construction of a Swimming Pool (not including plumbing) in Northwest Park in the City of Austin; and,

WHEREAS, the City's engineer has recommended that certain changes be made in the contract as awarded to said Maufrais Brothers, Inc., and has issued Change Order No. 10, dated July 7, 1956; and,

WHEREAS, said change order has been approved by the City Manager for and on behalf of the City of Austin; and,

WHEREAS, the City Council desires to approve such change in the contract heretofore awarded to the said Maufrais Brothers, Inc., and to ratify and approve the execution and approval of such change order by the City Manager; Now, Therefore,

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

That the changes recommended by the engineer for the City of Austin, Texas, in the contract entered into by and between the City of Austin, Texas and Maufrais Brothers, Inc., Austin, Texas, for the general construction of a Swimming Pool (not including plumbing) in Northwest Park in the City of Austin, be and the same are hereby, approved.

That the execution and approval of Change Order No. 10, dated July 7, 1956, ordering such change by W. T. Williams, Jr., as City Manager, for and on behalf of the City of Austin, be, and the same is hereby approved and ratified.

ADOPTED AND APPROVED this 19th day of July, 1956.

(Sgd) Tom Miller
Mayor, City of Austin, Texas

ATTEST:

(Sgd) Elsie Woosley
City Clerk, City of Austin, Texas

APPROVED:
(Sgd) Doren R. Eskew
City Attorney, City of Austin, Texas

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

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

Invocation was delivered by REV. A. L. DENNIS, First Church of the Nazarine, 102 West 30th Street.

Councilman White moved that the Minutes of July 12th be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

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

The Council held a public hearing on petition requesting that the alley bounded on the north by Avondale Road; on the east by Travis Heights Boulevard, on the south by Milam Place, and on the west by Alta Vista, be opened all the way through. Speaking in favor of the opening of the alley were MR. JOHN PAYNE, MR. KURT MEYER, MR. BEN PIERCE, MR. C. E. ECKLUND, and others, because of the difficulty the garbage trucks, telephone and utility trucks had in getting in and out of the alley, having to back out; and believing the alley could be better maintained if opened. Others favoring the opening were MR. JOHN FRANCIS and MR. J. H. MALOY. Some wanting the alley opened stated they would be willing to pay for the paving; others stated they would not be. Opposing the opening were MR. AND MRS. J. C. HOLCOMB, MR. AND MRS. WINNIFRED STURROCK, MR. EDWARD BROWN, MRS. WHEELER, giving reasons that only three people had garages on the alley; that everyone else used drives; that the steep grade would be a dangerous

traffic hazard; that there would be a drainage problem; some of the owners would have to build a retaining wall to protect their yard, in view of the fact, they had already terraced and beautified their yard and part of the alley; that the alley would be very close to their bedrooms if opened, and to open the alley was an unjust demand on the city; that the north end of the alley had been beautified and terraced, and if the alley were opened, it would be filled with rubbish, etc. MR. NABORS was neutral, but if the alley were opened, he did not want to pave it, and stated the alley had never been used. Mayor Miller believed the property owners could come to an agreement among themselves and work out a solution; if not, the Council would restudy the estimates of opening and paving it, and give a decision in two weeks from now. (August 2nd)

Decision on the following zoning application was postponed:

| | | |
|-------------------|----------------------|----------------------|
| CLIFFORD BIRDWELL | 103 West 38th Street | From "B" Residence |
| | | To "ER" Local Retail |

Lt. Barent Rosen introduced seventeen (17) new Police Recruits and the Council welcomed them.

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

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN
BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXA-
TION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF
38.00 ACRES OF LAND, SAME BEING KNOWN AS PARK FOREST
SECTION I, A SUBDIVISION OF A PORTION OF THE ISAAC
DECKER LEAGUE IN TRAVIS COUNTY, TEXAS, WHICH SAID AD-
DITIONAL 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 second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

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

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

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 to execute a warranty deed on behalf of the City of Austin conveying the following described property to E. W. Shank, Trustee, upon payment of the consideration of the sum of Three Thousand Five Hundred Seventy Four and 22/100 Dollars (\$3,574.22) said tract of land being described as follows, to wit:

0.328 of one acre of land, same being out of and a part of that certain portion of Lots 22 and 23 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 the said Duval Heights of Record in Book 2 at Page 189 of the Plat Records, Travis County, Texas, which was conveyed to the City of Austin by Warranty Deed dated April 26, 1948 of record in Vol. 907 at Page 276 of the Deed Records, Travis County, Texas, which 0.328 of one acre of land is more particularly described by metes and bounds as follows:

BEGINNING, at an iron pipe at the most westerly corner of the said City of Austin tract of land described in said deed of record in Vol. 907 at page 276 of the Deed Records, Travis County, Texas, said iron pipe being on the south or east right-of-way line of State Highway No. 20.

THENCE, with the south or east right-of-way line of State Highway No. 20 N. $74^{\circ} 46'$ E. 127.00 feet to an iron pipe on the point of intersection of the said south or east right-of-way line of State Highway No. 20 with the south line of Clayton Lane;

THENCE, with the south line of Clayton Lane, same being the north line of Lots 22 and 23 of the said Duval Heights, S. $60^{\circ} 10'$ E. 279.66 feet to a point on west right-of-way line of the Interregional Highway;

THENCE, with the west right-of-way line of the Interregional Highway S. $18^{\circ} 42'$ E. 89.20 feet to a point, said point being a point on the east line of the said Lot 23 of Duval Heights;

THENCE, with the east line of the said Lot 23, S. $30^{\circ} 08'$ W. 47.04 feet to an iron pipe for the most southeasterly corner of the herein described tract of land;

THENCE, N. $13^{\circ} 41'$ W. 104.81 feet to an iron pipe;

THENCE, following a line thirty (30.00) feet south of and parallel to the south line of Clayton Lane, N. $60^{\circ} 10'$ W. 215.00 feet to an iron pipe on the west line of the said Lot 23, same being the east line of Lot 22 of the said Duval Heights;

THENCE, N. $82^{\circ} 07'$ W. 160.51 feet to the point of beginning.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin entered into an agreement dated September 1, 1954, with Texas and New Orleans Railroad Company (Contract No. 56324) covering the location of four overhead guy wires on the right-of-way of said Railroad Company within the City of Austin; and,

WHEREAS, said Railroad Company is constructing spur trackage within this area which necessitates the relocation of such guy wires; and,

WHEREAS, the Texas and New Orleans Railroad Company is willing to enter into a new agreement designating the position of such guy wires to be relocated as down guys; 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 enter into and execute in behalf of the City of Austin one certain wire crossing contract with said Texas and New Orleans Railroad Company for the construction, maintenance and use of five down guy wire locations at and near Culvert No. 9.77 on said right-of-way, in accordance with the terms and conditions of said contract, as exhibited to the City Council by the City Manager; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to place and keep an executed copy of said contract in the permanent files in the City Clerk's Office.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain 10' x 30' guy wire easements along the dividing lines of certain lots were reserved and dedicated to the public on a map or plat of Williamson Subdivision, Section No. 2, a Subdivision of a portion of the Isaac Decker League and a Resubdivision of all of Williamson Subdivision, Section No. 1, in the City of Austin, Travis County, Texas, according to a map or plat of said Williamson Subdivision, Section No. 2 of record in Book 7 at page 179, Plat Records of Travis County, Texas; and

WHEREAS, the owner of the hereinafter described premises had requested that said 10' x 30' guy wire easements located thereon 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 guy wire easements located on the hereinafter described premises;

No. 1

A strip of land 10' x 30' extending northward from Post Road Drive, the centerline being the common dividing line between Lots 10 and 11, Block A, of said Williamson Subdivision, Section 2.

No. 2

A strip of land 10' x 30' extending southerly from Post Road Drive, the centerline being the common dividing line between Lots 16 and 17, Block B of said Williamson Subdivision, Section 2.

No. 3

Two strips of land 10' x 30' each, both extending northward from Krebs Lane, the centerline of one strip being the common dividing line between Lots 24 and 25, and the centerline of the other being the common dividing line between Lots 22 and 23, Block B, of said Williamson Subdivision, Section 2.

No. 4

Two strips of land 10' x 30' each, both extending southerly from Krebs Lane, the centerline of one strip being the common dividing line between Lots 6 and 7, and the centerline of the other strip being the common dividing line between Lots 8 and 9, Block C, of said Williamson Subdivision, Section 2.

No. 5

Two strips of land 10' x 30' each, both extending eastward from Wilson Street, the centerline of one strip being the common dividing line between Lots 7 and 8, and the centerline of the other strip being the common dividing line between Lots 2 and 3, Block D, of said Williamson Subdivision, Section 2.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

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 LOTS 7 AND 8, BLOCK 78, ORIGINAL CITY OF AUSTIN, 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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

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

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

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

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

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

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 TRACT OF LAND LOCALLY KNOWN AS 2603-09 EAST 12TH STREET, 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 White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

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

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

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

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

The Mayor announced that the ordinance has been finally passed.

Mayor Miller introduced the following ordinance:

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

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

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Ayes: Councilmen Long, Palmer, White, Mayor Milder
Noes: None
Absent: Councilman Pearson

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

The Mayor announced that the ordinance had been finally passed.

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

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

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

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

The Mayor announced that the ordinance had been finally passed.

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

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

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

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

The Mayor announced that the ordinance has been finally passed.

The Council had before it the following zoning application deferred from last week:

JENNIE A. SOPP

613-615 W. 33rd Street

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

The Mayor read the following letter:

"607 W. 33rd Street
Austin, Texas
July 12, 1956

"Honorable Tom Miller, Mayor and
City Council Members
Municipal Building
Austin, Texas

"Dear Sir and Madam:

"This letter confirms our conversation concerning the property on 607 W. 33rd and 609 W. 33rd Street. We appreciate your visit to the nursery and I am quite sure the children were glad to see you.

"Since we are in the process to purchase the property on 609 W. 33rd I hereby pledge and promise said property shall be used strictly as a residence and not as a nursery or any other project as long as we own it. I hereby guarantee to my congenial neighbors Mr. Niederauer, Mr. Smith and Mr. Dudley Miller that I will do everything within my power to keep harmony and keep said property in a condition which will not offend them.

"Being a home owner we wish to stabilize ourselves in being able to borrow money to build the school rooms which we desire and which we discussed.

"My wife and I greatly appreciate the comments you made in regards to the efficiency in the operation of our nursery.

"Sincerely yours,
(Sgd) George Milhim
George Milhim
Kitty Kat Nursery

"c/c to:
Dudley Miller
Mr. Niederauer
Mr. Smith"

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, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

Mayor Miller introduced the following ordinance:

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

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

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

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

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

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

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"July 17, 1956

"To the City Council
City of Austin, Texas

"Re: Completion and Acceptance of work of Improving Portions of Alegria Road, Arcadia Avenue, Madison Avenue and Ruth Avenue, being known as Paving Skip Assessment Contract 56-A-1, Units 1 through 7.

"The work of improving portions of Alegria Road, Arcadia Avenue, Madison Avenue and Ruth Avenue, being known as Paving Assessment Contract Number 56-A-1, Units 1 through 7, has been performed and completed by Giesen & Latson Construction Company in full compliance with the contract, and the plans and specifications therein contained, dated March 28, 1956, between the City of Austin and Giesen and Latson Construction Company.

"I have inspected, approved and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans and specifications referred to above.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
S. Reuben Rountree, Jr.
Director of Public Works"

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF ALEGRIA ROAD AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY GIESEN & LATSON CONSTRUCTION COMPANY, AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

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, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

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, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

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, White, Mayor Miller
Noes: None
Absent: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"July 18, 1956

"S. Reuben Rountree, Jr.
Director of Public Works

W. T. Williams, Jr., City Manager

"Paving Skip Assessment Contract Number 56-A-11, Units 1 through 8.

"Following is a tabulation of bids received at 10:00 A.M., Tuesday, July 17, 1956, for the construction of Paving Skip Assessment Contract Number 56-A-11, Units 1 through 8.

| | |
|-----------------|------------|
| "McKown & Sons | \$2,141.70 |
| J. R. Canion | 2,190.10 |
| Giesen & Latson | 2,390.96 |
| Raymond Canion | 2,516.80 |
| City's Estimate | \$2,444.20 |

"I recommend that McKown & Sons with their low bid of \$2,141.70 be awarded the contract for this project."

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 17, 1956, for the construction of Paving Skip Assessment Contract Number 56-A-11, Units 1 through 8; and,

WHEREAS, the bid of McKown & Sons in the sum of \$2,141.70 was the lowest and best bid therefor, and the acceptance of such bid 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 bid of McKown & Sons in the sum of \$2,141.70 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 McKown & Sons.

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

Councilman Long 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 on the south side of Lake Austin Boulevard and approximately 1100 feet west of Exposition Boulevard, which property fronts 150 feet on Lake Austin Boulevard and being a 0.80 acre tract out of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas, and hereby authorizes the said Howell Refining Company 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 Howell Refining Company has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations Attached)

"July 19, 1956

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

"Dear Sir:

"We, the undersigned have considered the application of Howell Refining Company for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located on the south side of Lake Austin Boulevard and approximately 1100 feet west of Exposition Boulevard, which property fronts 150 feet on Lake Austin Boulevard and being a 0.80 acre tract out of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas and the property upon which this filling station is to be located is owned by Howell Refining Company 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 Howell Refining Company 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 - 2129.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - C - 2129 and shall be of the premoulded 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 White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, H. E. Stanley is the Contractor for the demolition of a building located at 916 Brazos Street and desires a portion of the sidewalk and street space abutting the east 100 feet of Lot 7, Block 111, of the Original City of Austin, Travis County, Texas, during the demolition of the building, such space to be used in the work and for the storage of materials therefor; therefore

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

1. THAT space for the uses hereinabove enumerated be granted to said H. E. Stanley, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in a easterly direction and at right angles to the center line of Brazos Street to a point 12 feet east of the west curb line; thence in a northerly direction and parallel with the center line of Brazos Street 46 feet to a point; thence in a westerly direction and at right angles to the center line of Brazos Street to the northeast corner of the above described property; thence in a northerly direction and at right angles to the center line of East 10th Street to a point 12 feet north of the south curb; thence in a westerly direction and parallel with the center line of East 10th Street approximately 100 feet to a point; thence in a southerly direction and at right angles to the center line of East 10th Street to the northwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said H. E. Stanley, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the City officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not intuse, and at all times that such gate is open, the Contractor shall maintain a person at

this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk and street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 15, 1956.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1000), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

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

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

MR. NIGGLI, Architect for the City Hall Annex, came before the Council regarding plans and the bids received. It was suggested that he get the contractors to give a letter extending their terms to the 15th of August or possibly a month. Mr. Niggli was to report back on this.

The City Manager reminded the Council of the invitation to be present at the Civil Defense Control Room at Camp Mabry, Friday, July 20th.

Mayor Miller read a letter from MR. MORIN SCOTT offering sites for boat ramps, which he would let the city use for three years. The letter was turned over to the Director of Public Works to look into. The Mayor asked him to look into the possibility of securing some of the Walsh property also.

The City Manager submitted a request from MRS. W. E. ODOM, Delta Kappa Gamma, to close San Antonio Street between 12th and 13th, August 3rd, from 8:00-10:00 P.M., for dedication ceremonies. Councilman Long moved that the Delta Kappa Gamma be granted permission to close San Antonio Street between 12th and 13th, August 3rd, from 8:00-10:00 P.M. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller

Noes: None

Absent: Councilman Pearson

The Council informally granted the use of the following buildings for the Primary Election, Saturday, July 28th, and for the precinct meeting of the Democratic Party, at 7:00 P.M., as requested by Mr. Trueman O'Quinn:

Doris Miller Auditorium

Govalle Fire Station, 829 Airport Blvd.

Airport Boulevard Fire Station, 4305 Airport Blvd.

North Austin Fire Station.

Councilman Long asked that the Tannehill Branch sewer project be hastened. There were some developers who wanted to start developing. The Mayor stated these gentlemen had been in and discussed their problems with him and the Superintendent of the Water Department. The City Manager explained the steps of the project, and also explained a tentative plan that might be worked out with the developers.

There being no further business, the Council adjourned at 12:30, subject to the call of the Mayor.

APPROVED

Tom Miller
Mayor

ATTEST:

Cheri Horsley
City Clerk