

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Special Meeting
May 13, 1953
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Drake presiding.

Roll Call:

Present: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Absent: None

The Mayor announced that this meeting was called for the purpose of considering and disposing of various applications and proposals for zoning changes.

Councilman Johnson moved that the Minutes of the Special Meeting of May 11, 1953, be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Pursuant to published notice thereof, public hearings were held on the following applications for changes of zoning:

ANDREW H. VISCARDI &	5400 & 5500 blocks	From "A" Residence
MAX A. BACHOFEN	Cameron Road	To "C" Commercial
		RECOMMENDED "C" Commercial
		and 6th Height & Area,
		by Plan Commission

MR. VISCARDI appeared representing himself and Mr. Bachofen. No one appeared in opposition. The Mayor asked that those who favored upholding the recommendation of the Plan Commission and granting the change to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the change had been granted, and an ordinance would be drawn to cover.

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NORMAN L. LARSON	800 Block Atkinson Road & 6900 Block Inter- regional Highway	From "A" Residence To "D" Industrial RECOMMENDED "D" Industrial with 6th Height & Area by Plan Commission
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No one appeared in opposition. The Mayor asked that those who favored upholding the recommendation of the Plan Commission and granting the change to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the change had been granted, and an ordinance would be drawn to cover.

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LEMUEL SCARBROUGH By Woodrow Patterson	6200-6800 Blocks Inter- regional Highway	From "A" Residence To "C" Commercial RECOMMENDED "C" with Sixth Height & Area by the Plan Commission
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Both applications were before the Council and considered as one, to include the west and east sides of the Highway. MR. WOODROW PATTERSON represented the applicant. No one appeared in opposition. There was a discussion of a "turn-around" at the north end of Brooks, which Mr. Patterson stated would be acceptable to the applicant. Councilman Long moved that the Council accept the dedication of the turn-around at the north end of Brooks Street as agreed by Mr. Woodrow Patterson who represents the Lemuel Scarbrough estate. The motion, seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor then asked those who favored upholding the recommendation of the Plan Commission and granting the change on both applications to say "aye"; those opposed to say "no". Roll call showed the following:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the change had been granted, and an ordinance would be drawn to cover.

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H. BOHN, MRS. S. R. La	800-1000 Blk. E. 30th &	From "B" Residence
GRONE & MRS. MINNIE	3006-3008 East Avenue	To "C" Commercial
ROEMER		The Plan Commission
		recommended only the
		east 300' to be changed
		to "C" Commercial and
		6th Height & Area.

MR. BOHN appeared in his own behalf. No opposition appeared. The Mayor asked that those who favored upholding the recommendation of the Plan Commission with regard to the 300', leaving the remainder of the property included in the application pending before the Council, to say "aye"; those opposed to say "no". Roll call showed the following:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the application had been granted as to the east 300', and that an ordinance would be drawn to cover. The application for changing the rest of the property would still be pending before the Council.

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J. N. YOUNGQUIST, JACK		From "A" Residence
COX, H.H.FASKE	3401-07 East Avenue	To "C" Commercial
		NOT RECOMMENDED by the
		Plan Commission

MR. JACK COX appeared in behalf of the applicants. The Mayor noted the recommendation of the Plan Commission as the property should be in the sixth height and area district and there was not sufficient area. Mr. Cox felt it would be all right and acceptable to have the property changed to "C" with the 6th Height and Area. The Mayor asked that those who favored upholding the recommendation of the Plan Commission and DENYING the change to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: None
Noes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

The Mayor then asked those who favored changing the property to "C" Commercial, Sixth Height and Area, to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the change had been granted and that an ordinance would be drawn to cover.

C. B. HAHN

3708 East Avenue

From "A" Residence
To "C" Commercial
NOT RECOMMENDED by the
Plan Commission.

The Mayor asked that those who favored upholding the recommendation of the Plan Commission and DENYING the change to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: None

Noes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

The Mayor asked that those who favored granting the change to "C" Commercial, Sixth Height and Area, to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The Mayor announced that the change to "C" Commercial, 6th Height and Area had been granted, and an ordinance would be drawn to cover.

KENNETH E. DAVIS

918 Reinli Street &
5800 Block Interre-
gional Highway

From "A" Residence
To "C" Commercial
RECOMMENDED "C" Commercial
and 6th Height and Area
by Plan Commission

No one appeared in opposition. The Mayor asked those who favored upholding the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The Mayor announced that the change had been granted and an ordinance would be drawn to cover.

JUNIE C. & WOODROW W. KNAPE	5200-06 & 5201-13 Inter- regional Highway and 1009- 1022 & 1031-1039 E. 53rd	From "A" Residence To "C" Commercial The Plan Commission recommended change to "C" Commercial with 6th Hgt. & Area on Lots 5 & 6 only, with 6th Hgt. & Area on all area in application
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The Mayor asked that those who favored upholding the recommendation of the Plan Commission on Lots 5 & 6 to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

Councilman Long moved that the application for the rest of the property be referred back to the Plan Commission for future consideration. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that Lots 5 & 6, the property on the east side, had been changed, and an ordinance would be drawn to cover. The remainder of the property, that on the west side, was referred back to the Plan Commission for future consideration.

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SAM LANE	1028-1038 E. 53rd St.	From "A" Residence To "C" Commercial RECOMMENDED "C" Commercial 6th Hgt. & Area District
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MR. LANE appeared in his own behalf. No opposition appeared. The mayor asked those who favored upholding the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced that the change had been granted and an ordinance would be drawn to cover.

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JOE CROW

8900 Block Interregional Highway (west side) and 8900-9400 Blocks Interregional Highway (east side)
From "A" Residence To "D" Industrial
RECOMMENDED "D" Industrial with 6th Height & Area By Plan Commission

No opposition appeared. The Mayor asked that those who favored upholding the recommendation of the Plan Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The Mayor announced that the change had been granted and an ordinance would be drawn to cover.

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JOE O. PROWSE &
FLOYD L. EDWARDS
(By Gibson Randle)

2315-2323 East 7th St.

From "D" Industrial
To "C-2" Commercial
RECOMMENDED by the Plan
Commission

Mr. Randle appeared for the applicant. He stated that Mr. Prowse could lease the place as a cafe where beer could be sold with food. He stated he would rather have the "C-1" zoning than wait a while for the other. The Mayor asked that those who favored upholding the zoning Board and granting the change to "C-2", vote "aye"; those opposed vote "no". Roll call showed the following:

Ayes: None

Noes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

The Mayor asked those who favored changing the zone to C-1 to vote "aye"; those opposed vote "no". Roll call showed the following:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake

Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial and that an ordinance would be drawn to cover.

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MAX A. BACHOFEN

1021 & 1023 East 51st
Street

From "A" Residence
To "B" Residence
The Plan Commission recommended no change in zoning but recommended 6th Height and Area.

MR. BACHOFEN appeared in his own behalf. Discussion was held. Councilman MacCorkle moved that this application be referred back to the Plan Commission for study of "C" Commercial with Sixth Height and Area. The motion, seconded by Councilman Long carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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FREDERICK EBY, JR.	2803 Cole Street and 2800 East Avenue	From "B" Residence To "C" Commercial NOT RECOMMENDED by the Plan Commission
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MR. FREDERICK EBY, JR., appeared in his own behalf. Councilman Long moved that the application be referred back to the Plan Commission for the recommendation for "C" Commercial and Sixth Height and Area, as the Council feels it should be placed in "C" with Sixth Height and Area. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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WATT SCHIEFFER	3908-14 & 4000 E. Avenue & 1013-1015 & 1016 E. 40th Street	From "A" Residence To "C" Commercial NOT RECOMMENDED by the Plan Commission.
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MRS. J. Y. BREEDLOVE appeared in opposition, as she did not want to live next to a commercial establishment; and that there were six women living alone in the neighborhood and they wanted to keep the area residential. She submitted a petition with 43 names. L. M. FRYMIRE, 917 E. 39th, protested a commercial zoning. MR. WATT SCHIEFFER was present in his own behalf. Councilman MacCorkle moved that it be referred back to the Plan Commission for consideration of the Sixth Height and Area. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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No action was taken on the following applications, as the Plan Commission had postponed action, and they were not before the Council:

WATT SCHIEFFER	5300-5700 Blocks Inter.Hgy.	From "A" Residence To "C" Commercial
MACE B. THURMAN, JR. J.T. HEWLETT, R.L. RHODES	5600 & 5700 blks. Inter.Hgy. and 1001-03-05 Reinli St.	From "A" Residence To "C" Commercial

Mayor Drake 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 "C" COMMERCIAL DISTRICT ON LOTS 1, 2, 3, 4 AND 5, BLOCK G, AND LOTS 19, 20, AND 21, BLOCK F, DELWOOD 4, 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 MacCorkle moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Johnson, carried by the following vote:

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

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THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT TO "D" INDUSTRIAL DISTRICT ON A RECTANGULAR SHAPED TRACT OF LAND DESCRIBED IN A DEED RECORDED IN BOOK 1287, PAGES 306-308, DEED RECORDS OF TRAVIS COUNTY, TEXAS; LOCALLY KNOWN AS 417 SPENCER LANE, 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. *rough*

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

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Noes: None

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Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced the ordinance had been finally passed.

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced the ordinance had been finally passed.

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor Drake introduced the following ordinance:

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced the ordinance had been finally passed.

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INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, THE AMENDATORY ORDINANCE HEREBY CHANGING THE USE DESIGNATION FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON 1.13 ACRES OF LAND DESCRIBED IN BOOK 964, PAGE 221 AND BOOK 939, PAGE 269 AND BOOK 983, PAGE 210, DEED RECORDS OF TRAVIS COUNTY, TEXAS, LOCALLY KNOWN AS 4904-5004, EAST 7TH 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.

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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

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Muskin

SOUTH LINE OF EAST 7TH STREET, LOCALLY KNOWN AS 4600-4716 AND 4601-4715 EAST 7TH 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. *amended*

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

Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

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Ayes: Councilmen Johnson, Long, MacCorkle, White, Mayor Drake
Noes: None

The Mayor announced the ordinance had been finally passed.

The City Attorney called attention to the Council of a discrepancy in the ordinance passed on May 11th with regard to the zoning change of E.L. STECK ESTATE. The Council authorized this correction. (The ordinance is recorded in its corrected form)

There being no further business the Council adjourned subject to the call of the Mayor.

APPROVED: *W. S. Drake*

Mayor

ATTEST:

Edwin Moody
City Clerk