

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 4, 1954
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor McAden presiding.

Roll Call:

Present: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Absent: None

Present also: W. E. Seaholm, City Manager; W. T. Williams, Jr., City Attorney; C. G. Levander, Director of Public Works.

Invocation was delivered by REV. PAUL WASSENICH, Student Director, University Christian Church.

Councilman White moved that the Minutes of January 21st, January 28th, and February 1st be approved. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

MR. JOHN BOTELLO submitted the following, read by BEATRICE MARTINES:

"PETITION TO THE CITY COUNCIL OF AUSTIN, TEXAS

"In view of the fact that the objective of the clubs, Club De Benneficiencia and Club Sibony of this city, is to strive towards the development and betterment of the cultural, and social life and health of the Latin American people of Austin. Especially those who are being confronted with the problem of not having a place in which to have clinical service.

"We the members of these said clubs see the urgent need of a building of some sort for the use of the youth as well as that of the adults. The community is being neglected because of the distance involved in attending the nearest place where said clinical service is being given.

"We, therefore, the members of said clubs by unanimous vote, present this petition to the City Council of Austin asking it to investigate the possibility of erection of a building in the vicinity of Zaragosa Park,

Pres. (Sgd) Lalo Montoya
Sect. (Sgd) Tomas Montoya
Adv. (Sgd) John F. Botello

Pres. (Sgd) Helen Martinez
Sect. (Sgd) Cruz Pescira
Adv. (Sgd) Mrs. Margeret Meinoz

Austin, Texas
February 4, 1954"

(Sgd by approximately 19 persons.)

MR. BOTELLO stated the clinic at this location had been closed down. It was explained that the Federal appropriation had been cut and this had been temporarily closed, but another building had been secured and was located in the middle of this vicinity. As soon as it was renovated, the clinic would be reopened and that would take around 30 days. Mr. Botello was pleased with the new location.

MR. D. CHAPMAN inquired about the time the Auditorium would be finished. It was stated by the Mayor that it would be in the neighborhood of two years; that the plans might have to be revised, and possibly additional study by the Auditorium Committee would be necessary. Councilman Pearson asked for suggestions from Mr. Chapman and others on this.

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 the erection of a boat dock with observation deck on the property owned by Jack S. Gray and located downstream from the westerly extension of the south line of Windsor Road, the same being the north 120 feet of the Willard Deason tract and locally known as 2511 Scenic Drive, and hereby authorizes the said Jack S. Gray to construct, maintain and operate this private boat dock with observation deck 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 with observation deck 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 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 Jack S. Gray has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"February 4, 1954

"Mr. Walter E. Seaholm
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have reviewed the plans and have considered the application of Jack S. Gray, owner of a piece of property located downstream from the westerly extension of the south line of Windsor Road, the same being the north 120 feet of the Willard Deason tract and locally known as 2511 Scenic Drive, for permission to construct a boat dock with observation deck projecting out into the lake approximately 22 feet beyond the normal high water level. The construction details meeting all requirements, I therefore recommend that if Jack S. Gray is granted his request by the City Council, that it be subject to the following conditions:

"(1). That nothing but crosoted piles, cedar piles or concrete piles, substantially braced to withstand wind and water pressure, be used in the construction and that no structure shall be nearer than ten feet to any side property line of the owner of applicant.

"(2). That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and 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, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Lawrence L. Griffin, M. D. and Kermit W. Fox, M. D. have made application in writing for permission to operate a doctor's clinic for human beings only on the west 85 feet of Lot 13, Block 1, Outlot 26, Division D, Carrington Subdivision, in the City of Austin, Travis County, Texas, the same being on the north side of West 19th Street and locally known as 1008 West 19th Street, which property is located in a "B" Residence District and requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

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

THAT permission for the operation and maintenance of a doctor's clinic for human beings only be granted to Lawrence L. Griffin, M. D. and Kermit W. Fox, M. D., with the following conditions:

1. That this clinic be used in the general practice of medicine and that no mental or psychiatric patients be housed in such clinic.
2. That all regulations required in this zone and all building code provisions be complied with in the operation and maintenance of such building.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, there is now pending in the 98th District Court of Travis County, Texas, a suit styled W. H. Stephenson vs. The City of Austin numbered 85095 on the docket of such court; and,

WHEREAS, the plaintiff W. H. Stephenson has agreed to dismiss such suit against the defendant, The City of Austin, and has agreed to grant to the City of Austin an easement to flood the land involved in such suit with waters impounded by Tom Miller Dam in consideration of the City of Austin deeding to him by Special Warranty Deed Lots Nos. 1,2,3,4,5,6,7,10 and 11, Block 4, White & Wolf's Addition to the City of Austin, Travis County, Texas; and,

WHEREAS, the City Council of the City of Austin has determined that it is to the best interests of the City of Austin to settle such suit in accordance with such agreement; Now, Therefore,

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

That the City Manager be, and he is hereby authorized and directed to execute and, upon dismissal by the plaintiff W. H. Stephenson of Cause No. 85,095, styled W. H. Stephenson vs. City of Austin, in the 98th District Court of Travis County, Texas, and the delivery by said Stephenson to the City of an easement to flood the lands involved in such suit with waters impounded by Tom Miller Dam, deliver to W. H. Stephenson a special warranty deed to Lots Nos. 1,2,3,4,5,6,7,10 and 11, Block 4, White & Wolf's Addition to the City of Austin, Travis County, Texas; and,

That the City Manager is further authorized to grant to W. H. Stephenson the right to fill and build land along the present lake line of the land involved in such suit so long as, in the opinion of the City Manager, such land can be built without significant interference with the use and enjoyment by the public of Lake Austin and without diminishing the reservoir capacity of such lake.

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

Ayes: Councilmen Pearson, Thompson, White, Mayor McAden
Noes: Councilman Long

No action was taken on the ordinance vacating and closing a driveway in Block 1, Blue Bonnet Hills Addition, as the members of the Council wanted to inspect the property.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

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

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main across BULL CREEK ROAD at West 42nd Street intersection, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said BULL CREEK ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main across BULL CREEK ROAD in "unnamed" street intersection south of Camp Mabry Road, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BULL CREEK ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main across BULL CREEK ROAD at Jackson Avenue intersection, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said BULL CREEK ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in BENNETT AVENUE, from a point 102 feet South of East 46th Street southerly 100 feet, the centerline of which gas main shall be 15 feet east of and parallel to the west property line of said BENNETT AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in STACY LANE, from a point 192 feet north of Cumberland Road, northerly 75 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said STACY LANE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet

(6) A gas main across BULL CREEK ROAD at West 49th Street intersection, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said BULL CREEK ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main across BULL CREEK ROAD at a point 256.5 feet south of Camp Mabry Road.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8). A gas main across BULL CREEK ROAD at a point 556.5 feet south of Camp Mabry Road.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main across BULL CREEK ROAD at Lawton Avenue, the centerline of which gas main shall be 6.5 feet east of and parallel to the west property line of said BULL CREEK ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(10) A gas main in HAMMACK DRIVE, from a point 300 feet east of Guadalupe Street, easterly 96 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said HAMMACK DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(11) A gas main in EAST AVENUE, from East 1st Street, southerly 510 feet, the centerline of which gas main shall be 7 feet east of and parallel to the west property line of said EAST AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(12) A gas main across EAST AVENUE at a point approximately 482 feet, south of East 1st Street.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(13) A gas main in EAST AVENUE, from East 1st Street, southerly 1360 feet, the centerline of which gas main shall be 6 feet east of and parallel to the west property line of said EAST AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(14) A gas main in EAST AVENUE, from a point 81 feet south of East 3rd Street, southerly 1130 feet, the centerline of which gas main shall be 6 feet west of and parallel to the east property line of said EAST AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The Motion, seconded by Councilman Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, a certain public utility easement was reserved and dedicated to the public on a map or plat of Tarrytown River Oaks, a subdivision of a portion of the Daniel J. Gilbert Survey in the City of Austin, Travis County, Texas, according to a map or plat of said subdivision of record in Book 6, at page 19, Plat Records of Travis County, Texas; and

WHEREAS, such easement as hereinafter described 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. E. Seabolt, City Manager, be and he is hereby authorized and directed to execute a release of such easement, as follows:

- No. 1. BEING all of that portion of the east five (5) feet of Lot 22 of said Tarrytown River Oaks which extends northerly 100.00 feet from the north line of a public utility easement traversing said Lot 22 as shown on the map or plat of said Tarrytown River Oaks.
- No. 2. BEING all of that portion of the west five (5) feet of Lot 23 of said Tarrytown River Oaks which extends northerly 100.00 feet from the north line of a public utility easement traversing said Lot 23 as shown on the map or plat of said Tarrytown River Oaks.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING THAT CERTAIN ALLEY WHICH LIES NORTH OF THE PRESENT EAST 7TH STREET RIGHT-OF-WAY NORTHERLY TO MORELOS STREET, AS SHOWN ON THE PLAT OF LINCOLN PLACE, A SUBDIVISION OF OUTLOTS 23 AND 23 1/2 OF DIVISION "A" OF THE GOVERNMENT OUTLOTS ADJOINING THE ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, WHICH PLAT IS OF RECORD IN BOOK 3, AT PAGE 1, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; AND SUSPENDING THE ORDINANCE RULE REQUIRING THE READING OF AN ORDINANCE 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 Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

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 Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The Mayor announced the ordinance had been finally passed.

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

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

That W. E. Seaholm, City Manager, be and he is hereby authorized and directed to execute a deed on behalf of the City of Austin to Arthur E. Pihlgren for and in consideration of \$397.00 cash, conveying the following described property, to wit:

398 square feet of land, same being out of and a part of Lot 1 of Block 11 of Lincoln Place, a Subdivision of Outlots 23 and 23 1/2, Division "A", of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, a map or plat of said Lincoln Place, being of record in Book 3, Page 1, Plat Records of Travis County, Texas, which Lot 1 was conveyed to the City of Austin by Warranty Deed dated April 14, 1947 of record in Volume 846, Page 455-456, Deed Records of Travis County, Texas, which 398 square feet of land is more particularly described by metes and bounds as follows:

BEGINNING at an iron stake at the northwest corner of said Lot 1;

THENCE with the north line of said Lot 1, same being the south line of Morelos Street, S. 66° 57' E. 56.52 feet to an iron stake on the north line of East Seventh Street;

THENCE with the north line of East Seventh Street, N. 78° 59' W. 67.75 feet to an iron stake on the west line of said Lot 1;

THENCE with the west line of said Lot 1, N. 57° 53' E. 17.14 feet to the point of beginning.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, M. Z. Collins is the Contractor for the erection of a sign on a building located at 128 West 7th Street and desires a portion of the sidewalk and street space abutting the west 1/2 of Lots 11 and 12, Block 83, of the Original City of Austin, Travis County, Texas, during the erection of a sign on a 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 M. Z. Collins, 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 southerly direction and at right angles to the centerline of West 7th Street to a point four feet south of the north curb line; thence in a westerly direction and parallel with the centerline of West 7th Street approximately 25 feet to a point; thence in a northerly direction and at right angles to the centerline of West 7th Street to the south line of the above described property.

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

(1). That the Contractor shall construct a four-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 four 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 shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(3). 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.

(4). 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.

(5). 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 or 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 April 1. 1954.

(6). 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.

(7). 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.

(8). 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 Contractor's expense.

(9). That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1,000.00), 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 Thompson, carried by the following vote:
Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Mayor McAden introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK
OF IMPROVING NORTH LOOP BOULEVARD, UNIT 19, IN
THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS
HEREBELOW DEFINED, PERFORMED BY COLLINS CONSTRUCTION COMPANY OF TEXAS, 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, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden 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 ESTABLISHING THE BOUNDARIES FOR VARIOUS ORIGINAL USE DISTRICTS AND HEIGHT AND AREA DISTRICTS, IN AN AREA ANNEXED TO THE CITY OF AUSTIN ON DECEMBER 20, 1951; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD SUCH DISTRICTS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS. *Amended 7*

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, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden 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 *Amended 12*

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 ESTABLISHING THE BOUNDARIES FOR VARIOUS ORIGINAL USE DISTRICTS AND HEIGHT AND AREA DISTRICTS, IN AN AREA ANNEXED TO THE CITY OF AUSTIN ON DECEMBER 20, 1951; ORDERING A CHANGE IN THE USE AND HEIGHT AND AREA MAPS SO AS TO RECORD SUCH DISTRICTS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden 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 THE EAST 23 FEET OF LOT 3 AND WEST 27 FEET OF LOT 4, BLOCK 4, OUTLOT 38, LOCALLY KNOWN AS 1411 BOB HARRISON STREET,

IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS;
ORDERING A CHANGE IN THE USE MAPS SO AS TO RE-
CORD 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 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, Pearson, Thompson, White, Mayor McAden
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, Pearson, Thompson, White, Mayor McAden
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, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden 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 "I", 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 "B" RESIDENCE DISTRICT ON LOT 7, BLOCK 6, GLENWOOD ADDITION, OUTLOT 32, DIVISION "B", IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS SO AS TO RECORD THE CHANGE HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden 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 AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT, ON LOTS 1, 2, 3 AND 4, BLOCK 120, LOCALLY KNOWN AS 400, 402, 404 AND 406 EAST 10TH STREET, RESPECTIVELY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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 Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden 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, AND THE HEIGHT AND AREA DESIGNATION OF THE WHOLE OF THE TRACT FROM FIRST HEIGHT AND AREA DISTRICT TO SIXTH HEIGHT AND AREA DISTRICT ON A PART OF THE BERT P. BROWN LAND LOCATED IN THE GEORGE W. SPEAR LEAGUE IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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 Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden 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 "C-1" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C-2" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON A PART OF LOT 1, BLOCK 9, FAIRVIEW PARK IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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 Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

Mayor McAden 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 "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL DISTRICT AND SIXTH HEIGHT AND AREA DISTRICT ON A 1.08 ACRE TRACT OF LAND BEING A PORTION OF LOT 11, BLOCK "B", BOULDIN SUBDIVISION, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; ORDERING A CHANGE IN THE USE MAPS AND HEIGHT AND AREA MAPS SO AS TO RECORD THE CHANGES HEREBY ORDERED; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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 Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

The Council set the following zoning applications for public hearing February 25th at 11:00 A. M.:

WATT SCHIEFFER & MRS. MARY SWAYNE	W.side Inter.Hwy. between 39th & 41st W.por.of 3&E.por.of 2(132')Blk.9,OL20,Div C,Plainview Hgts.,W.158' of Lot 3,Blk 10,OL 20, Div C,Plainview Hgts.	From "A" Residence 1st To "Height and Area To "C" Commercial 6th Height and Area RECOMMENDED TR zone by the Planning Commission
WALTER STAEBELY	NE Cor.Red River & E. 25th Streets - W.part of Lot 5,Blk 61	From "B" Residence To "C" Commercial NOT Recommended by the Planning Commission

MRS. ARTHUR McPAUL MR. VELMA ROE & BERT BAUGH	2801, 2805-07 East Avenue - Lots 1,3,4, Blk D, Div. C, Dancy Addn.	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission
A. P. JOURDAN ESTATE	1014-1020 E. 38 $\frac{1}{2}$, 1009- 15 E. 39th St. - All of Blk B, Plainview Hgts.	From "A" Residence To "C" Commercial RECOMMENDED TR 6th Height and Area by the Planning Commission
MRS. JOE WUKASCH	4208 Duval Lots 5 & 6, Blk B, Statesman Property	From "B" Residence To "C" Commercial RECOMMENDED with 6th Height and Area by the Planning Commission
A. E. FIEDLER	4105 Manchaca Rd. Tract 37 containing 1.33 acres	From "A" Residence To "C" Commercial NOT Recommended by the Planning Commission
FREDERICK EBY, JR.	2803 Cole & 2800 East Avenue - Lots 10 & W. 8' of Lot 5, Blk 1, OL 28, Div C, Fellman Heights	From "B" Residence 5th Height and Area To "C" Commercial 6th Height and Area RECOMMENDED TR Zone 6th H&A by Planning Comm.
WATT SCHIEFFER	3908-14 & 4000 E. Ave & 1013-15 & 1016 E. 40th St. - Lots 5 & 6 & W. 17' of Lots 1, 2, 3 & 4, Blk 9, OL 20&21, Resub. of N $\frac{1}{2}$ of Blk 9 & W $\frac{1}{2}$ Blk 10, Plainview Hgts.	From "A" Residence To "C" Commercial RECOMMENDED TR. Zone 6th Height and Area by the Planning Commission

Councilman White inquired about the TR Zoning. This District is to be determined and the Zoning Ordinance would have to be amended to include this new District.

The Council had before it the following zoning requests postponed from January 28th:

W. E. PHILLIPS	1211 Chicon	From "A" Residence To "C-1" Commercial RECOMMENDED by the Planning Commission with 6th Height & Area
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The Mayor asked that those who favored upholding the recommendation of the Planning Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

LLOYD SHEFFIELD

1170 San Bernard

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission
with 6th Height & Area

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

BRYANT M. COLLINS

N.&W. of intersection
of Dallas Hwy. & Ander-
son Lane

From "A" Residence
To "C" Commercial
TRACT 1 - Approximately
1100' on Anderson Lane
RECOMMENDED by the
Planning Commission

MR. HARDY HOLLERS appeared in connection with this application. The Mayor stated that Mr. T. E. O'QUINN said he had amended the application to include the property down to the drive, a distance of approximately 500', but the recommendation of the Plan Commission did not include this amendment. MR. HERMAN JONES objected strongly in that this residential neighborhood had been imposed upon by the company's violating the ordinance; that if commercial is to be extended this depth on this street it would have to be extended that depth on all the east-west streets on Lamar Boulevard. Councilman Long inquired about the penalty in the sign-ordinance, and if the Theatre Company should not have been forced to comply with the ordinance; also about the Theatre Company's being made to keep the premises clean. Councilman Long also suggested that the Theatre Company move its drive down far enough so that people leaving the theatre would not throw their headlights right in the residences. Mr. Jones asked that the matter be referred back to the Planning Commission to consider the application as amended by its attorney, Mr. O'Quinn since it did not include the amendment in its recommendation. The Council felt that Mr. Collins should change his drive and that the extra footage as recommended would be needed. MR. JONES asked that the record show that on behalf of the property owners that there has not been before the Plan Commission or before the Council a hearing held on any area other than that which lies to the east of the west entrance. The City Attorney wanted the record to show that the Council and the Planning Commission did hold hearings on this as there were notice in the paper and further publication with

regard to the hearing held before the Council. The Mayor asked that those who favored upholding the recommendation of the Planning Commission to vote "aye"; those opposed to vote "no". Roll call showed the following:

Ayes: Councilman Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

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AREA 13 - ST. JOHN'S AREA - Original Zoning

The Council received the following recommendation from the City Planning Commission:

The St. John's Area is most easily identified and generally associated as being a colored district located at the northeast intersection of the Interregional Highway and the Houston Highway (U.S.290). Area 13 includes, in addition to the St. John's subdivision, some large unplatted vacant tracts north of U. S. Highway 290, and south of Atkinson Road and extending from the Interregional Highway to Cameron Road; also a small triangular tract south of U. S. Highway 290 and west of Cameron Road.

The St. John's Subdivision consists of some twenty-eight blocks platted for single family residences with use. These blocks are in various stages of development with as few as three homes developed in some blocks to other blocks where a majority of lots have been developed. The general character of the Subdivision of the development is that of poor to substandard dwelling construction. Investigation shows that a six-inch water main serves this entire addition and that at this time sewers are not available. Six buildings in this Subdivision have at various times been occupied with retail types of business. At present not all of these buildings are being used. It is also noted that these retail used buildings are not located together nor are in any sequence, but are instead widely separated and in all cases surrounded by residences.

The large vacant tracts immediately east of the Interregional and also north and south of U. S. Highway 290 are large acreages immediately adjacent to the highways which have not been platted or divided into lots. These tracts are at this time served only with very limited water utility.

All property owners who have indicated previous interest were contacted by phone and individually notified of public hearing. Individual letters of request from M. H. Crockett, Elmer Denson, and from Moses Kouri were individually discussed by the Commission. The Commission members inspected these tracts on a tour arranged by the Planning Department. The Commission also reviewed the individual request for commercial zoning and analyzed these requests. Investigation revealed that at this time there exists 47 acres of commercially zoned property previously granted by the City Council since the time of original annexation. This commercially zoned property is with one exception completely vacant and undeveloped. It was also immediately obvious that an unlimited amount of unrestricted property is east of the Interregional immediately north of this area and in the county. The Commission has previously recommended to the City Council that this area be controlled with limited annexation and

recognizes that it would be impossible at this time to establish comprehensive zoning patterns, while the adjacent existing unrestricted area exists. They also felt that because the properties specified for commercial zoning have not been subdivided no pattern of development can be determined or logical district boundaries recommended. It was therefore voted to recommend to the City Council that it establish for the area known as Area 13, St. John's District, the following:

Use District: "A" Residence

Height and Area District: First

No additional commercial in excess of the existing 47 acres was recommended. The above use and height and area classification recommended for the following reasons.

- 1) That at this time the St. John subdivision is served by several unrelated non-conforming uses, and no application for additional "C" zoning or information has been directed to the Commission for the establishment of a community center in a limited or other form. Therefore, until such request is directed to the City Council it would be impossible to determine the most feasible area for such development.
- 2) That the remainder of property in Area 13 is unplatted acreage. The requested zoning shows no relation to the existing topography or have provisions been made for circulation and general movement of traffic and utilities.
- 3) That there is such a large amount of vacant commercially zoned property existing, any additional commercial zoning cannot be justified to serve the needs of the community or the people.
- 4) That totally inadequate utilities are available.
- 5) That no action has been taken on limited annexation for adjacent areas thus vast potential of unrestricted commercial and industrial exists to the north of the highway.

Respectfully submitted,
CITY PLANNING COMMISSION

Councilman Thompson suggested before any changes in the recommendation of the Planning Commission were made that he would like to hear why the Plan Commission made certain recommendations. MR. HUGO KUEHNE suggested that the Council and Plan Commission have a meeting together and go over some of these matters in detail. He stated there had been recommendations on the new Transitional Districts and it would be well to discuss these new districts. Councilman Thompson asked that the Council delay action on the original zoning of the two areas now under consideration until after a meeting with the Plan Commission. Councilman Long felt that the Council should act on those now before the Council as they had been pending for sometime. Councilman Thompson moved that the Council delay consideration of both areas until the Council had a meeting with the Plan Commission and that this meeting be called next week. The motion lost for lack of a second. MR. M. H. CROCKETT, JR. asked that his property be considered, along with the dedication of Sheridan Lane. He submitted an estimate from the Engineering Office of \$3,500.00 for the cost of curb, gutter and paving of Sheridan Avenue, and his own letter agreeing to pay this amount in the event the property is zoned "C" Commercial. Councilman White moved that MR. MOTON H. CROCKETT, JR.'S proposition to pave this 30' street in accordance

with City specifications and dedicating it to the City be accepted. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman White moved that the recommendation of the Planning Commission be amended to include the zoning of Mr. Crockett's property (along U.S. Highway No. 290) 300' as per the sketch submitted by Mr. Crockett, Jr. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long moved that the original zoning recommendation be amended to make the remaining part of the Interregional Highway 240' "C" Commercial from the "D" Industrial (now zoned) to the north boundary of the Area (Area 13). Councilman White seconded the motion. Councilman Thompson offered a substitute motion that the Council delay consideration on these request for rezoning until it had talked the thing over with the Planning Commission and then act on them at the time it acted on the original zoning of the two areas. Mayor Pro-tem Pearson presided, and Mayor McAden seconded the motion. The substitute motion failed to carry by the following vote:

Ayes: Councilmen Thompson, Mayor McAden
Noes: Councilmen Long, White, Mayor Pro-tem Pearson

Councilman Thompson stated nine good citizens had spent days and weeks in coming to a conclusion as how this should be zoned; and without listening to what effects this zoning would have on future development of this City, the Council is asked to step in and do some "spot" zoning. He felt that they had been delayed, but another week's delay would not be of any consequence.

Councilman Long's motion to zone the Interregional Highway 240' "C" Commercial from the "D" Industrial to the north boundary of the area and seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, White, Mayor McAden, Mayor Pro-tem Pearson
Noes: Councilman Thompson

Councilman Thompson inquired if there were streets dedicated through to the Interregional Highway. The City Manager stated the streets did not go all the way through to the Interregional Highway

At this point the Mayor resumed the Chair.

Councilman Long moved that the now existing businesses that are now operating be placed in "C" Commercial. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, White, Mayor McAden
Noes: Councilman Thompson

Councilman Long moved that the Council adopt the Recommendation of the Planning Commission as amended on AREA 13. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, White, Mayor McAden
Noes: Councilman Thompson

The Mayor announced the zoning had been established and the City Attorney was instructed to draw the ordinance to cover.

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AREA 14 - UNIVERSITY AIRPORT - Original Zoning

MR. WONSLEY was present in the interest of zoning the west side of the Interregional Highway 240' deep Commercial. There was some discussion about Anderson Lane. Councilman Pearson moved that this be postponed for later action. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor stated it might be about 30 days.

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Councilman Pearson moved that the Council meet at 9:00 A.M. instead of 10:00 A.M. The motion, seconded by Councilman Thompson, resulted in a tie vote as follows:

Ayes: Councilmen Pearson, Thompson
Noes: Councilmen Long, White
Present but not voting: Mayor McAden

Mayor McAden introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE STREETS OF THE CITY OF AUSTIN, PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 22(f) OF ARTICLE IV RELATING TO TWO HOUR LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced the ordinance had been finally passed.

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessment for the property hereinafter described in the name of Metropolitan Beauty Shop is incorrect for the following reason:

"Mrs. Dorothy Polk Dodd, owner of the Metropolitan Beauty Shop, has submitted an affidavit to the Tax Department stating that all of the equipment in the beauty shop was disposed of during the year 1952 to various individuals and therefore, was not taxable for the year 1953.

"I recommend that I be authorized to reduce the assessed valuation on these improvements as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Beauty Shop Equipment located at 913 $\frac{1}{2}$ Colorado Street	\$640	-0-

"(Sgd) T. B. Marshall
City Tax Assessor and Collector"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth in the name of Metropolitan Beauty Shop, and has found the same to be erroneous for the reason stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment, Now Therefore,

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

That the following tax assessment for the year shown be, and the same

is, hereby adjusted and corrected to fix the assessed value therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Beauty Shop Equipment located at 913 $\frac{1}{2}$ Colorado Street	\$640	-0-

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden

Noes: None

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessment for the property hereinafter described in the name of Ricks Construction Company is incorrect for the following reason:

"Mr. J. E. Ricks has submitted an affidavit to the Tax Department declaring that all furniture, fixtures and equipment of the Ricks Construction Company were sold in April, 1952 to R & M Equipment Construction Company, Inc. located on Stassney Lane outside the city limits of Austin.

"I recommend that I be authorized to reduce the assessed valuation on these improvements as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Furniture, Fixtures and Equipment, located at 714 Denson	\$3,780	-0-

"(Sgd) T. B. Marshall
City Tax Assessor and Collector"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth in the name of Ricks Construction Company, and has found the same to be erroneous for the reason stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment, Now Therefore,

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

That the following tax assessment for the year shown be, and the same

is, hereby adjusted and corrected to fix the assessed value therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Furniture, Fixtures and Equipment located at 714 Denson	\$3,780	-0-

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls.

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

The City Manager submitted the following certificate from the City Tax Assessor and Collector:

"TO THE MAYOR AND CITY COUNCIL:

"I certify that the tax assessment for the property hereinafter described in the name of Azteca Rooming House is incorrect for the following reason:

"Mr. Pat J. Mendez, administrator for the estate of Joe I. Herrera, has submitted an affidavit stating that Mr. Joe I. Herrera passed away in September 1952 and that the furniture, fixtures and equipment of the estate were disposed of by him as executor in October, 1952.

"I recommend that I be authorized to reduce the assessed valuation on these improvements as follows:

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Furniture, fixtures and equipment located at 316 $\frac{1}{2}$ East 6th Street	\$340	-0-

"(Sgd) T. B. Marshall
 City Tax Assessor and Collector"

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Tax Assessor and Collector has made a special investigation of the tax assessment hereinafter set forth in the name of Azteca Rooming House, and has found the same to be erroneous for the reason stated in his certificate delivered to the City Council and filed with the City Clerk, and

WHEREAS, in such certificate the City Tax Assessor and Collector has recommended the adjustment, Now Therefore,

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

That the following tax assessment for the year shown be, and the same is hereby adjusted and corrected to fix the assessed value therein as indicated.

<u>YEAR</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>ORIGINAL ASSESSED VALUE</u>	<u>RECOMMENDED VALUE</u>
1953	Furniture, fixtures and equipment located at 316 $\frac{1}{2}$ East 6th Street	\$340	-0-

And the City Tax Assessor and Collector is authorized and directed to make such change in the tax rolls.

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

Mayor McAden introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO JOIN THE COUNTY OF TRAVIS AND LOWER COLORADO RIVER AUTHORITY IN A CONTRACT WITH TEXAS A & M RESEARCH FOUNDATION PROVIDING FOR INSTALLATION OF A RADAR TORNADO WARNING SET AT THE MUNICIPAL AIRPORT; APPROPRIATING FUNDS THEREFOR; AND DECLARING AN EMERGENCY.

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 Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

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 Thompson, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
 Noes: None

The Mayor announced the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Austin Council for Retarded Children has made application in writing for permission to use and maintain in a building an institution of an educational nature (Retarded Children's Center, for school and training purposes), complying with all City and State regulations, on the northeast

corner of the 5.9 acre tract owned by the City of Austin and locally known as 915 West 28-1/2 Street, which property is located in a "B" Residence District and under Section #5, Item #7 of the Zoning Ordinance requires a special permit from the City Council; and

WHEREAS, this application has been considered and approved by the City Council of the City of Austin, therefore

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

THAT permission for the use and maintenance of this building as an institution of an educational nature at the location described above be granted to the Austin Council for Retarded Children.

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

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

Councilman Long submitted a petition from residents in the area of 32nd and Walnut Avenue requesting street lights be located at this intersection, and asked that the City Manager proceed with this.

MR. WOODROW PATTERSON inquired about the tract of land just outside the City Limits, on which land the State Highway wanted to build. He stated there was just a small area of this property inside the city limits. The City Manager stated the City did not have jurisdiction over the zoning of property for state use. Councilman Pearson moved that the Council pass a resolution stating that we do not have any jurisdiction over the state's use of its property and further that the City Council would have no objection to the establishment of the District 14 Headquarters Building and warehouses. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Pearson, Thompson, White, Mayor McAden
Noes: None

The Mayor announced that the Council would meet with the Planning Commission at 10:00 A. M. February 16th.

The Council received notice from the City Manager that the following applications for change of zoning had been referred to the Plan Commission:

MRS. MARY JABOUR	3207-11 East Avenue	From "A" Residence 1st Height and Area To "C" Commercial 6th Height and Area
C. R. SCALES	7305 Burnet Road	From "A" Residence 1st Height and Area To "C" Commercial 6th Height and Area

MISS THERESA ALFF

2001 East 19th St.

From "A" Residence
To "B" Residence

CHARLES A. BURTON

603 West 19th St.

From "C" Commercial
To "C-1" Commercial

There being no further business the Council adjourned at 2:00 P. M.
subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk