

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 16, 1947

10:45 A.M.

Council Chamber, City Hall

The meeting was called to order, with Mayor Miller presiding.

Roll call

Present : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry - 5

Absent : None

Present also: Guiton Morgan, City Manager; J. E. Motheral, Director of Public Works; Trueman E. O'Quinn, City Attorney; and R. D. Thorp, Chief of Police.

The reading of the Minutes was dispensed with.

The application of Mrs. Ellen Wagner for a change in zoning, from "A" Residence District, to "C" Commercial District, of parts of Lots 1 and 3, and all of Lot 4, Block D, Ridgetop Addition, was received. Councilman Bartholomew moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of Mr. and Mrs. Martin L. Anderson, owners, joined by H. A. Beatty, Lessee, for a change in zoning, from "C" Commercial District to "C-2" Commercial District, of Lot 2, Block 1, Forest Hill Addition, known as 1916 Manor Road, was received. Councilman Bartholomew moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of S. G. Garrett, by Charles F. Herring, Attorney, for change in zoning, from "B" Residence District to "C" Commercial District, of Lot 7, Hancock Park Addition, Outlot 22, Division "C", located at Red River Street and Keith Lane, was received. Councilman Bartholomew moved

that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of Robert P. Toomey, by Baumgardner & Company, Agents, for a change in zoning, from "C" Commercial District to "C-1" Commercial District, of property fronting approximately 208 feet on Barton Springs Road, and extending back a depth of 150 feet, being located on the north side of said Barton Springs Road, across the street from Kinney Avenue, was received. Councilman Bartholomew moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of Pepsi Cola Bottling Company for a change in zoning, from "A" Residence District to "C" Commercial District, of a portion of a 4.75 acre tract, Outlots 72 and 73, Division "E", west of extended west line of Red River Street, south of extended south line of Davis Street, and east of Waller Creek and north of City barns, was received. Councilman Glass moved that the matter be referred to the Board of Adjustment for consideration and recommendation. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The following report of the Board of Adjustment was received:

"ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant : L. L. McCandless

I. Referred to the Board by the City Council on : September 25, 1947.

II. Property affected:

A tract of land located at the southeast corner of Shoalwood Avenue and Hancock Drive and being described by metes and bounds in the attached application.

III. To be changed

From : "A" Residence District and First Height and Area
District

To : "C" Commercial District and First Height and Area
District

IV. Considered by the Board on: October 7, 1947, and October 14, 1947.

V. Parties appearing:

For : Jay H. Brown

Against: None

VI. Action of the Board: Above change recommended.

For the following reasons:

1. This application is for a change in the zoning of a tract of land at the southeast corner of Hancock Drive and Shoalwood Avenue for the purpose of establishing a Community Center to serve the needs of this vicinity where several new subdivisions are being developed.
2. The applicant affirms that there is a need for this community center since the nearest developed commercial property is at 49th Street and Burnet Road, which is four or five blocks from this property.
3. The applicant further affirms that there is sufficient property in this tract to provide for on-site parking around business establishments on the site, thereby not creating any further traffic hazard on the streets, and further affirms that he is working with the City on the proposed extension of Crestmont Drive to Hancock Drive as a cut-off street from Shoal Creek Boulevard.
4. The Board deemed that the development of this property as a Community Center would be proper and would serve the needs of a fast developing section of the City with new subdivisions, without creating additional traffic congestion by providing for off-street parking, and is in keeping with approved Community Center development being separated from residential development by streets, and discouraging commercial development along major thoroughfares and highways.

(Sgd) H. F. Kuehne
Chairman. "

Councilman Johnson moved that a public hearing on the foregoing application of L. L. McCandless for change in zoning be called for Thursday, November 6, 1947, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The following report of the Board of Adjustment was received:

"ZONING BOARD OF ADJUSTMENT
AUSTIN, TEXAS
ZONING CHANGE RECOMMENDATION .

Applicant : Mrs. Ben T. Jordan

I. Referred to the Board by the City Council on : September 25, 1947.

II. Property affected:

That portion of Lots 5 and 6 of Evergreen Heights fronting on Fredericksburg Road south from Treadwell Street for a depth of 150 feet.

III. To be changed

From : "A" Residence District

To : "C" Commercial District

IV. Considered by the Board on : October 7, 1947, and October 14, 1947.

V. Parties appearing:

For : Mrs. Robt. Graham

Against: None

VI. Action of the Board : Change not recommended

For the following reasons:

1. This application is for a change in the zoning of property on the west side of Fredericksburg Road extending 550 feet south from Treadwell Street for a depth of 150 feet, for the purpose of leasing the south 150 or 100 feet to a major oil company for the construction and operation of a filling station, the remainder of the frontage on the west side of the street for a distance of several hundred feet north and south remaining in an "A" Residence District.
2. The applicant affirms that her reason for leasing the south portion of the property is that this is the only level portion adjacent to the street, the remainder of the frontage being approximately ten feet above street level which would require a great amount of excavation before it could be developed for business purposes.
3. This property is located across Fredericksburg Road from a commercial zone between West Gibson and Treadwell Street, being approximately 400 feet in length, which is now undeveloped for commercial uses except for one public garage.

4. A large percentage of property in existing "C" Commercial District north and south on Fredericksburg Road is still undeveloped for business at this time.
5. The Board deemed, under the conditions and circumstances, that no evidence has been shown that there is a public demand and no apparent need for this change in view of the undeveloped commercial property along this street both north and south and across the street, and further deemed that this property, consisting of approximately nine acres, is so located and of sufficient size to permit a desirable subdivision for residential purposes.

(Sgd) H. F. Kuehne
Chairman. "

Councilman Johnson moved that a public hearing on the foregoing application of Mrs. Ben T. Jordan for a change in zoning be called for Thursday, November 6, 1947, at 11:00 A. M. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

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 enter into a contract on behalf of the City of Austin with Ralph E. White, Jr., for the laying of certain water mains and other pipes in Raleigh Avenue, extending from the south property line of Gilbert Street south 70 feet to serve Lot 6, Block D, of Lakeshore Village Subdivision, in the City of Austin, Travis County, Texas, in accordance with the terms and provisions of a certain contract a copy of which is attached to this Resolution and made a part hereof for all purposes.

(Copy of Contract attached)

THE STATE OF TEXAS :

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS :

This contract made and entered into by and between the City of Austin, a municipal corporation situated in Travis County, Texas, hereinafter for convenience sometimes called the City, and Ralph E. White, Jr., of Travis County, State of Texas, hereinafter for convenience sometimes called the Customer, W I T N E S S E T H :

I.

(a) The City of Austin for the consideration hereinafter stated agrees to furnish all labor, tools, equipment, implements, appliances, and materials necessary to lay and agrees to lay the certain water mains and other pipes on the streets and at the locations described as follows:

Six-inch (6") cast iron water main in Raleigh Avenue, extending from the south property line of Gilbert Street south 70' to serve Lot 6, Block D, of Lakeshore Village Subdivision.

II.

It is estimated that all the work contemplated under Paragraph I above will cost the sum of One Hundred and Seventy-five Dollars (\$175.00) when completed; and the Customer in consideration of the foregoing obligations to the City, which are assumed for the benefits of the Customer in order to furnish water service to him, agrees to deposit the sum of One Hundred and Seventy-five Dollars (\$175.00) with the City of Austin prior to commencement of the work.

III.

Within a reasonable time after deposit of the sum or sums of money as provided in Paragraph II, the City of Austin agrees to commence construction of the utility improvements described in Paragraph I and to prosecute said work in a good and workmanlike manner and with reasonable diligence until fully completed; but delays occasioned by matters and events over which the City has no control shall be excepted and not included in the time reasonably required to complete the work.

IV.

The deposit provided for in Paragraph II is an estimate only of the cost of constructing the utility improvements described in Paragraph I; and it is agreed that if the actual cost of such work is less than the amount deposited by the Customer, the City of Austin after the work is completed will refund to the Customer the difference between the actual cost and the estimated cost of such work, but if the actual cost of such work shall exceed the amount of said deposit, the Customer agrees upon notice from the City immediately to deposit an additional sum to make up the difference between the estimated cost and actual cost of the work.

V.

Immediately after completion of the utility improvements described in Paragraph I, the City of Austin will furnish to the Customer a statement of such costs, together with the date of completion of the work; and the City of Austin is hereby authorized, through its officers or agents, to note on this contract the correct figure stating the actual cost of such work and the date of completion.

VI.

It is agreed that the customer shall be reimbursed for the money

deposited as provided in Paragraph II above in the following manner:

Within sixty (60) days after the first day of January following completion of the work described in Paragraph I, the City shall pay to the Customer a sum equal to the gross amount of income realized by the City from the service and sale of water to its patrons having a direct connection with the water mains, described above for the period of time immediately preceding the first day of January; and within sixty (60) days after the first day of January of each succeeding year the City agrees to pay to the Customer a sum equal to the gross income realized by the City during the preceding calendar year from the service and sale of water from said lines to its patrons having a direct connection with said water mains, until the total amount of the cost of construction of the utility improvements has been repaid; but in no event shall the City make such payments for a period of time longer than ten (10) years from the date of completion of said work (as such date is noted hereon under provisions of Paragraph V), even though the full cost of such work at the end of said time has not been refunded in full to the Customer; and if at any time before the expiration of said ten (10) year period the principal sum of such cost has been repaid, further payment shall cease.

VII.

It is agreed that the City may make such repairs and changes in all of said utility improvements, pipes, hydrants, and connections necessary to the orderly conduct of proper utility systems. Title to all said utility improvements shall be and remain at all times in the City of Austin.

VIII.

It is agreed that this contract is made with reference to the existing charter and ordinances of the City of Austin and laws of the State of Texas pertaining to all matters affecting this contract, and the Customer agrees to comply with all provisions of such laws, ordinances and charter.

IX.

It is agreed that the City of Austin may at its option retain any part or all of the deposit made by the Customer in compliance with Paragraphs II and IV of this contract and refuse to make the payments and refunds provided for in Paragraphs IV and VI of this contract in the event the Customer shall fail or refuse to comply substantially with any obligation lawfully imposed on the City of Austin regulating the platting, planning, and development of subdivisions within the City of Austin.

IN TESTIMONY WHEREOF, the City of Austin has caused this instrument to be executed in duplicate by its City Manager, attested by its City Clerk, with its corporate seal affixed, and the said Ralph E. White, Jr., has executed this instrument in duplicate this the ____ day of _____, 1947.

Attest:

CITY OF AUSTIN

By _____ City Manager

City Clerk

Approved:

Director of Public Utilities

Director of Public Works

City Attorney

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Texas Public Service 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 Texas Public Service 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 in BAYLOR STREET, from West 10th Street northerly 56 feet, the centerline of which gas main shall be 25 feet west of and parallel to the east property line of said Baylor Street.

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

- (2) A gas main in EAST 53RD STREET, from a point 619 feet east of Harmon Avenue easterly 72 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said East 53rd Street.

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

- (3) A gas main in WOODMONT AVENUE, from a point 271.2 feet east of McCall Road westerly 52 feet, the centerline of which gas main shall be 10 feet north of and parallel to the south property line of said Woodmont Avenue.

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

- (4) A gas main in CHERRY LANE, from a point 81 feet east of Schulle Avenue easterly 304 feet, the centerline of which gas main shall be $7\frac{1}{2}$ feet south of and parallel to the north property line of said Cherry Lane.

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

The Texas Public Service 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 Texas Public Service 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 Texas Public Service 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 franchise granted to said Company by the City of Austin.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Councilman Thornberry 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 west side of Burnet Road, north of Shoalmont Drive, which property fronts 100 feet on Burnet Road and being further known as Lot 2, Block 1, of the Resubdivision of Shoalmont Addition, a subdivision of a portion of the George W. Spear League, within the City of Austin, Travis County, Texas, and hereby authorizes the said A. D. Carter to construct, maintain and operate a drive-in

filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and 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 subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said A. D. Carter has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

Austin, Texas
October 16, 1947

Mr. Guiton Morgan
City Manager
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of A. D. Carter for permission to construct, maintain and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon property located on the west side of Burnet Road north of Shoalmont Drive, which property fronts 100 feet on Burnet Road, and being further known as Lot 2, Block 1, of the Resubdivision of Shoalmont Addition, a subdivision of a portion of the George W. Spear League, within the City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by A. D. Carter 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.

There are no storm water drainage facilities in place adjacent to this property. The storm water and surface drainage from this filling station will have to be conveyed to a seep well to be constructed on the property of the applicant.

We recommend that A. D. Carter be granted permission to construct, maintain, and operate said drive-in 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 the 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 and pumps shall be an approved type and shall bear the label of Underwriters Laboratories, Inc.; that all construction of the filling station improvements shall be in accord with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord 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 and shall be conducted by a pipe connection from said sand trap into a seep well located upon the property of the applicant.

(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-H-877.

(6) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-877 and shall be of the pre-moulded type.

(7) That before use of said station, the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

(Sgd) J. E. Motheral
Director of Public Works

(Sgd) J. C. Eckert
Building Inspector. "

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Councilman Thornberry introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC 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 12(b) OF ARTICLE III, RELATING TO STOP SIGN LOCATIONS, AND BY AMENDING SECTIONS 22(e), 22(f), 23(d), AND 24(c) OF ARTICLE IV, RELATING RESPECTIVELY TO ONE HOUR PARKING ZONES, TWO HOUR PARKING ZONES, LOADING ZONES, AND BUS STOP LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

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

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The Mayor then announced that the ordinance had been finally passed.

Pursuant to published notice thereof, the public hearing on the application of R. G. Mueller and C. R. Wilkerson to amend the Zoning Ordinance in the following particular:

To amend the USE designation of the following described property so as to change the same from "A" Residence District to "C" Commercial District, to-wit:

Lots 4, 5, and 6, Block 7, Oakmont Heights Addition, being located at the northeast corner of the intersection of West 35th Street and Lawton Avenue, in the City of Austin, Travis County, Texas,

was duly opened.

R. G. Mueller, proponent, spoke for the change on the grounds that the change in zoning of the three lots requested would extend the commercial zone for the entire block between Jefferson Street and Lawton Avenue and the development in this area is such that will require more commercial zoning, but that at this time he does not contemplate using but the one lot.

The property owners present objected to the change of all three lots at this time but did not object to the change of one lot only; that they thought the change on the other two lots should be deferred until there is a need for same and it is known what type of business will be placed there.

No other property owners or interested persons desiring to be heard, Councilman Thornberry moved that the hearing be closed, and the recommendations of the Board of Adjustment be sustained and Lot 4 only be changed. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Pursuant to published notice thereof, the public hearing on the application of M. H. Crockett, M. O. Spier, Mrs. Sue Ferguson, Travis Woodland, A. C. Knippa, G. C. Seiders, Mr. and Mrs. Tom E. Johnson, Miss Afton Wynn, and James Shaw to amend the Zoning Ordinance in the following particulars:

To amend the USE designation of the following rescribed property so as to change the same from "A" Residence District to "C" Commercial District, to-wit:

Lots 4, 5, 6, 7, and 8, and the west 83 feet of
Lots 1, 2, and 3, Hill View Addition, a subdivision of Outlot 76, Division "D"; and Lots 9, 10, 11, 12, 13, 14, 15, 16, and 17, Penn Addition, Block 5, being out of Outlot 75, Division "D", all in the City of Austin, Travis County, Texas,

was duly opened.

No property owner or other interested person appeared to protest the proposed change. Thereupon Councilman Bartholomew moved that the hearing be closed and the change in zoning be granted; and further, that the City Attorney be instructed to prepare the ordinance making the change effective, for passage at the next regular meeting. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

Pursuant to action of the City Council on September 11, 1947, deferring action for thirty days on the application of Chas. J. Armstrong and O. Cage for change in zoning, from "A" Residence District to "C" Commercial District, of the west two-thirds of Lots 9, 10, and 11, Block 5, Penn Addition; Lots 6, 7, and 8, and south 5 feet of Lot 5, Hillview Addition,

being located at southeast and northeast corners of Lamar Boulevard and West 34th Street, in the City of Austin, Travis County, Texas, it was moved by Councilman Bartholomew that the change in zoning be granted, and the City Attorney be instructed to prepare the ordinance making the change effective. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Mayor Miller submitted to the City Council a letter from Joe Crow, dated October 13, 1947, addressed to the Mayor and City Council, inclosing copy of a sales contract between Dr. J. L. Love and Joe Crow, vendors, and Sigma Delta Tau Sorority, vendee, for the sale by vendor to vendee of Lots 11, 12, 13, 14, 15, 16, 17, in Block 6, Outlot 54, Division "D", comprising the block bounded by Leon Street, West 26th Street, Boulevard View, and West 25½ Street, conditioned upon the change in zoning of said property from "A" Residence District to "B" Residence District to permit the erection of a sorority house on said property.

A letter from Thurlow B. Weed, dated June 11, 1947, protesting the change in zoning of the above property for himself and other property owners who registered protests at the public hearing on May 22, 1947, was received.

Councilman Glass then moved that, action on the application of Dr. J. L. Love and Joe Crow for change in zoning, from "A" Residence District to "B" Residence District, of the above described property having been deferred pending notice from Applicants as to the use that will be made of the property in question, the change in zoning now be granted; and the City Attorney be instructed to prepare the ordinance making the change effective. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Pursuant to published notice thereof, the public hearing on the application of W. Trenckmann, Attorney for property owners, to-wit, Mrs. R. H. Kirby, Mrs. S. W. Johnson, Mrs. Ethel Hartman, H. D. Pruett, Jr., Noel K. Brown, and Dan Stathas, for change in zoning, from "B" Residence District to "C" Commercial District, of the following described property:

The South One-half of Blocks 172 and 173, Original City, fronting south on East 14th Street, and extending from Brazos Street to Colorado Street, in the City of Austin, Travis County, Texas,

was duly opened.

W. Trenckmann, Attorney for applicants, spoke for the change.

Mr. Gates, representing the First Church of Christ Scientist, opposed the change, but stated that they would withdraw their objections if Lot 12, which lies between said Church and the Knights of Columbus Hall, were excluded from the change.

Reverend F. G. Roesener and R. G. Mueller, representing St. Martin's Lutheran Church, opposed the change on the grounds that their church owns four lots fronting on Congress Avenue and if the change is for a depth of 92 feet only, it would cut their property in two; that if the buildings face 14th Street, the rear of same would be on Congress Avenue, which would mar the beauty of that street; that they would like to know before the change is made that no business would go in there that would be out of harmony with the beautiful neighborhood; that there is no particular need for the change at the present time, but should be made from time to time as the projects present themselves and not left wide-open for any kind of business to go there.

No other property owner or interested person desiring to be heard, Councilman Glass moved that there appearing to be no great objection to the change, the matter be deferred to the next regular meeting to give the proponents and the opponents of the change an opportunity to get together to see if something mutually satisfactory to both sides could be agreed upon. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry
Noes : None

The following application for a private boat license, duly approved by the Navigation Board, was submitted:

<u>Owner</u>	<u>Description</u>
Green, James H. - 4206 Avenue C	Custom, Sail, Sloop, 1946 Model, 4-passenger

Councilman Johnson moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry
Noes : None

Walter Bonugli came before the Council and asked for a storm sewer to be built in the alley between Harris Avenue and Landon Lane, in the vicinity of Robert E. Lee School. The matter was referred to the Director of Public Works for investigation.

Oscar Overstreet came before the Council and requested that a traffic signal light be installed at 1st Street and East Avenue for the protection of school children. The Mayor stated that a traffic light will be installed at this location when the East Avenue highway is completed. The matter was then referred to the Chief of Police, with instructions to have a traffic policeman stationed there in the afternoons during the time the children are being dismissed from school.

The application of ALLEN LEE JACKSON, 1101 South 3rd Street, for a license to operate as a taxicab a 4-door Chevrolet, 1941 Model, Motor No. AA14043, State License No. JA-3573, duly approved by the City Manager, was submitted. Councilman Johnson moved that the license be granted. The

motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

The application of GEORGE JACKSON STEEN, 1101 Kinney Avenue, for a license to operate as a taxicab a Chevrolet Sedan, 1946 Model, Fleetmaster, Motor No. DAA-68906, State License No. JC-5589, duly approved by the City Manager, was submitted. Councilman Johnson moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of ALLEN LEE JACKSON, 1101 South 3rd Street, for a license to operate as a taxicab a 4-door Chevrolet Sedan, 1941 Model, Motor No. AA-791204, State License No. JA-6757, duly approved by the City Manager, was submitted. Councilman Johnson moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of FRANCIS WILLARD DUNKIN, 303 East 10th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of DONALD BERNARD EZELL, 1803 Kenwood Avenue, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of AUBREY SHEPHERD, Dan's Courts, Dallas Highway, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of PATRICK ROY BURLESON, 404 West 6th Street, for a taxicab driver's permit, duly approved by the City Manager, was submitted. Councilman Thornberry moved that the permit be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and
Councilman Thornberry

Noes : None

The application of HOLIDAY HOUSE, by Fred M. Starr and Kenneth F. Morton, 1005 Barton Springs Road, for a retail dealer's on-premise beer license, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The application of DAD'S PLACE, by Toby and Santos Fuentes, 1308 East 6th Street, for a retail dealer's beer license, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The application of P. M. DRUG, by P. M. Parr and F. E. Miller, 1111 East 6th Street, for a package store license, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The application of LA FIESTA, by Ed D. Bridges, 806 Red River Street, for a wine and beer license, duly approved by the City Manager, was submitted. Councilman Glass moved that the license be granted. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

Dr. E. H. Givens, representing the American Legion Post #76-A, came before the Council and asked for permission for the Western States Shows to show at Rosewood Park for the week of March 24-30, 1948. Councilman Thornberry moved that the permit be granted provided the proper indemnity bond is furnished. The motion carried by the following vote:

Ayes : Councilmen Bartholomew, Glass, Johnson, Mayor Miller, and Councilman Thornberry

Noes : None

The Mayor submitted a letter from Ronald Byram, President of the Chamber of Commerce, addressed to the Mayor and City Council, inclosing copies of a resolution passed by the Zoning Committee of the Planning Bureau of the Chamber of Commerce urging "that continued serious study be given to any changes in zoning that may be requested, in order that spot zoning not interfere with the ultimate plan of the City when time has permitted a modern master plan to become the guide in the future development of Austin, both from the planning point of view as well as from the zoning point of view"; and of a motion, "That the City Council be urged to employ sufficient staff members in the Building Inspector's Division to properly make building inspections and enforce their proper compliance with the Zoning Ordinance". The matter was taken under advisement by the Council.

There being no further business, upon motion, seconded and carried, the meeting was recessed at 12:25 P. M., subject to call of the Mayor.

APPROVED:

Tom Miller.
M a y o r

ATTEST:

Helen McKeen

City Clerk