

SPECIAL MEETING OF THE CITY COUNCIL:

Austin, Texas, December 2, 1930.

The Council was called to order at 7:40 P. M. by the Mayor, in accordance with the advertised notice for a public hearing on zoning matters. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller and Steck, 3; absent, Councilmen Pannell and Reed, 2.

The Mayor stated that the meeting was called for the purpose of hearing further requests and protests on the general provisions of the proposed Zoning Ordinance and declared the hearing open.

A written communication from R. A. Spears, protesting the classification given his property at 2829 Rio Grande Street, was read. He asked that said property be zoned as business as it is on one of the main arteries to Pemberton Heights and Enfield and that the property at the east end and across the street is now business property. He also stated that the signers on the petition he filed with the City Council last May still favored the zoning of this property as business.

W. E. Ware protested the designation of the above property as business, stating that Mr. Spears and his wife were the only taxpayers on that block who signed said petition and that he had presented a petition signed by thirty-seven taxpayers on the block protesting the placing of same in the business zone.

Dr. J. W. Calhoun stated that he had little to add to what had already been said, but he thought in considering petitions relating to zoning only those who owned property in the vicinity should have a voice in the matter, as they are the only ones materially affected. He stated that a filling station at Twenty-ninth and Rio Grande Streets would not damage his home to a very great extent, but it certainly would those of his neighbors, that Mr. Ware's property would be practically ruined; and that no business district would ever be developed to any extent at this location, there being no need for same as it is within a half block of the business area on Guadalupe Street.

D. B. Barrow and M. L. Pearson presented a supplement to their original petition asking that their property at Twenty-ninth and Duval Streets be classed as Commercial "C", stating that the Zoning Map was in error in showing the property south and southwest of them as residential, that same is a part of the University Campus, the only residences near being on the northeast, the rear of which abut this property; that this property situated at the junction of Waller Boulevard and Twenty-sixth Street is undesirable for residences, the ground being low and next to a branch of Waller Creek; that there will be a need for business houses at this location when Speedway is closed at Twenty-sixth Street; and that their property is in the same general location as that where the Boulevard intersects Duval and Speedway, which has been designated as Commercial "C".

Mrs. H. C. Koch presented a written request that West Twenty-ninth Street from the present termination of the business area, which is one-half block west of Guadalupe Street to the alley on the rear of her property, which is one-half block west of Rio Grande Street on Twenty-ninth Street, be designated as business property for the following reasons:

(a) That she is unable to sell her property for residential purposes on account of there being a grocery store directly opposite on Twenty-ninth Street;

(b) That a filling station at this point would serve the residents of this section who traverse Rio Grande Street and do not care to drive on more congested thoroughfares, and would also lessen the traffic hazard at this corner, as an open filling station would insure greater visibility;

(c) That this intersection is the end of Rio Grande Street, and logically will be a business center, being a great convenience to the people west and north when Twenty-ninth Street is paved;

(d) That it would enhance property values in this section;

(e) That to refuse this permit would be of great injury and detriment to the owners as it would deprive them of the right to use and sell their property to the best advantage;

(f) That her prospective purchaser is one of the major oil companies;

(g) That if this property is classed as residential she will be unable to sell it and therefore unable to pay her part of Twenty-ninth Street when it is ordered paved.

The Mayor then asked if there were any other parties present who desired to be heard. There being none, the Council then proceeded to take up for consideration and action thereupon the following matters:

Request of Mrs. T. A. Stromquist that the northwest corner intersection of East Fifteenth Street and East Avenue, being Lot No. 6, in Block No. 68, be changed from "residential and apartment" classification to Commercial "C" Use District. Mayor McFadden moved that no change be made in the classification of the Use District situated at the northwest corner of East Fifteenth Street and East Avenue. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Steck, 3; nays, none; Councilmen Pannell and Reed absent, 2.

Petition of residents on the north and south sides of West Sixth Street from the west line of Blanco Street west to the east line of the Nalle Estate, asking that this territory be placed in the "Unrestricted Business Area". Mayor McFadden moved that the area described as follows be placed in Commercial "C" Use District: Beginning at the northeast corner of the intersection of Blanco and West Sixth Streets; thence northerly with the west line of Blanco Street, 150 feet to the northeast corner of Lot No. 1 of the Brooks & Shelley Addition; thence westerly to the northwest corner of Lot No. 4 of Brooks & Shelley Subdivision; thence crossing Marthan Street westerly to the northeast corner of Lot No. 4 of the Taylor & Smith re-subdivision; thence westerly to the northwest corner of Lot No. 1 of the Taylor & Smith re-subdivision; thence westerly 150 feet distant from and parallel to the north line of West Sixth Street to the east line of that tract of land now owned by the Nalle Estate; thence southerly with the east line of the Nalle Estate to the north line of Sixth Street; thence southerly to the northeast corner of Lot No. 9 in Block No. 1 of the Duval Subdivision of the City of Austin, Texas; thence southerly with the west line of said Lot No. 9 to the southwest corner of said Lot No. 9; thence easterly with the north line of the alley to the southeast corner of Lot No. 4, Block No. 1, Duval Addition to the City of Austin; thence easterly crossing Walsh Street to the southwest corner of Lot No. 3; thence with the south line of said Lot No. 3 to the southeast corner of same; thence northerly to the south line of West Sixth Street; thence northerly crossing Sixth Street to the place of beginning. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Steck, 3; nays, none; Councilmen Pannell and Reed absent, 2.

Request of D. B. Barrow that 67/100 of an acre of land owned by him at the corner of Barton Springs Road and Kinney Avenue be placed in the business zone. Mayor McFadden moved that the area which is 150 feet north of the north line of Barton Creek Road and the area which is 150 feet south of and parallel to the south line of Barton Creek Road from South First Street to Barton Creek be placed in Commercial "C" Use

District. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Steck, 3; nays, none; Councilmen Pannell and Reed absent, 2.

Request of E. M. Bohls that the tract of land owned by him east of South Congress Avenue and north of Live Oak Street be placed in Commercial "C" Use District. Mayor McFadden moved that the area described as follows be placed in Commercial "C" Use District: Beginning at the northeast corner of the intersection of Congress Avenue and East Live Oak Street; thence easterly to a point on the north line of Live Oak Street, which point is 150 feet east of the east line of the Post Road produced, northerly to intersect the north line of Live Oak Street; thence north 30° east to the north line of that tract of land which was conveyed by J. P. Schneider to E. M. Bohls; thence north 60° west to the east line of Congress Avenue; thence south 19° west with the east line of Congress Avenue to the place of beginning. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Steck, 3; nays, none; Councilman Pannell and Reed absent, 2.

Request of J. W. Saxon that the lot owned by him at 404 West 26th Street be designated as business property instead of residential. Mayor McFadden moved that the property owned by J. W. Saxon on the date of this hearing, described as follows: Beginning at a stake for corner in the south line of Outlot 62, Division "D" of the Government Outlots of the City of Austin, 159 feet and 9 inches west of the southeast corner of said Outlot; thence westerly 53.5 feet to stake for corner; thence northerly 101 feet; thence east parallel with the south line of said Outlot 53.5 feet; thence southerly to the place of beginning, be placed in Commercial "C" Use District. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Steck, 3; nays, none; Councilmen Pannell and Reed absent, 2.

Protest of W. H. Richardson, Jr., and Joe A. Martin, property owners, against a certain area on West Seventh Street being zoned as business property, and request of S. E. Hudson for the zoning of same as business property. Mayor McFadden moved that the area which lies one-half block north of and one-half block south of and parallel to West Seventh Street from Guadalupe Street to West Avenue be placed in Residence "B" Use District. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Steck, 3; nays, none; Councilmen Pannell and Reed absent, 2.

Request of W. G. Rissman that Lots 15 and 16 in Block "E" Bouldin Addition at South First and West Johanna Streets be classed as business property. Mayor McFadden moved that Lots 15 and 16, Block "E", Lots 1 and 2, Block "F", Lots 1, 2, 3, and 4, Block "G", Lots 4, 5, and 6, Block "B" of the D. W. Bouldin Addition be placed in Commercial "C" Use District. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Steck, 3; nays, none; Councilmen Pannell and Reed absent, 2.

Request of W. A. Harper that the property at Twelfth and Guadalupe Streets be placed in Commercial "C" zone, and a petition by a number of other property owners in this area asking that same be classed as Residence "B" Use District. Councilman Mueller moved that the property situated at the northeast corner of Twelfth and Guadalupe Streets remain in the classification as Residence "B" Use District. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Councilmen Mueller and Steck, 2; nays, Mayor McFadden, 1; absent, Councilmen Pannell and Reed, 2.

Petition of Mrs. H. C. Koch and R. A. Spears that Twenty-ninth Street from one-half block west of Guadalupe Street to one-half block west of Rio Grande Street be placed in the business zone, and petition of large number of residents and property owners in this area protesting against such classification. Mayor McFadden moved that no change be made in the classification as Residence "A" Use District of Twenty-ninth Street from the alley west of Guadalupe Street westerly. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilman Steck, 2; nays, Councilman Mueller, 1; absent, Councilmen Pannell and Reed, 2.

Protest of Harry W. Hofer and others against West Twenty-fourth Street from Guadalupe to San Gabriel Streets being placed in the business zone. Mayor McFadden moved that the classification of Twenty-fourth Street, beginning at the southeast corner of Lot No. 14 of the Louis Horst Addition; thence westerly with the south line of Lots 14, 11, and 2 of said Addition to the east line of Rio Grande Street; thence westerly crossing Rio Grande Street to the southeast corner of Lot 9 of the Raymond Addition; thence westerly parallel to the south line of Twenty-fourth Street to the southeast corner of Lot 2 of the Raymond Addition; thence northerly with the east line of said Lot No. 2 to the south line of Twenty-fourth Street; thence northerly at right angle to the south line of Twenty-fourth Street to a point 175 feet north of the north line of Twenty-fourth Street; thence easterly 175 feet distant from and parallel to the north line of Twenty-fourth Street to the west line of Rio Grande Street; thence easterly crossing Rio Grande Street to the northwest corner of Lot 16, Outlot 48, Division "D" of the City of Austin; thence easterly to the northwest corner of Lot No. 16 of Outlot 49, Division "D" of the City of Austin; thence southerly with the east line of Nueces Street to the north line of Twenty-fourth Street; thence southerly to the northeast corner of Lot No. 13 of the Louis Horst Addition; thence southerly to the place of beginning, be changed to Residence "B". Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Steck, 3; nays, none; Councilmen Pannell and Reed absent, 2.

Petition of citizens on East First Street asking that this street be made a business street. Mayor McFadden moved that the areas described as follows be placed in Commercial "C" Use District: The north half of Blocks 182, 183, 89, and the south half of Blocks 8, 9, and 10, all a part of the Original City of Austin, Texas, which half blocks lie on each side of First Street between San Jacinto and Red River Streets, and beginning at the northeast corner of the intersection of East First and Brushy Streets; thence northerly 138 feet to the northwest corner of Lot 12, Block 4 of the James Harrington Subdivision in Outlot 17, Division "O", as recorded in Travis County Records Book X, Page 636; thence easterly 138 feet distant from and parallel to the north line of First Street to the west line of Comal Street; thence easterly 138 feet distant from and parallel to the north line of First Street to the west line of Canadian Street; thence crossing Canadian Street to a point which is on the east line of Canadian Street 142 feet northerly from the southwest corner of Lot 1 of the Hamilton Subdivision; thence easterly with the north line of Lots 1 and 2 of the Hamilton Subdivision to the northeast corner of Lot 2 of said subdivision; thence southerly to the southeast corner of Lot 2 of the Hamilton Subdivision; thence southerly crossing First Street to the northeast corner of Lot 7, Block "A" of the Benson Subdivision; thence westerly 140 feet distant from and parallel to the south line of First Street to the

west line of Comal Street; thence northerly with the west line of Comal Street to a point which is 118 feet south of the south line of First Street; thence westerly 118 feet distant from and parallel to the south line of First Street to the east line of Navasota Street; thence westerly to the southeast corner of Lot 10, Block "A", Canterbury Square; thence westerly with the south line of Lots 10 to 1 inclusive, Block "A" of said Canterbury Square to the east line of Waller Street; thence westerly crossing Waller Street to the southeast corner of Lot 13, Block 2 of the R. W. McGuire Subdivision of Outlot 32, Division "O" as recorded in Travis County Court Records, Book 2, Page 165; thence westerly with the north line of the alley to the southeast corner of Lot 5, Block 1 of the MK&T Addition; thence northerly with the east line of Lot 5 to the south side of First Street; thence northerly crossing First Street to the place of beginning; and that the area on First Street from Red River to Brushy Streets remain in the classification of Residence "B" Use District. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, and Steck, 3; nays, none; Councilmen Pannell and Reed absent, 2.

Councilman Mueller moved that the official hearing on zoning matters be closed. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, and Steck, 3; nays, none; Councilmen Reed and Pannell absent, 2.

Councilman Mueller moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller and Steck, 3; nays, none; Councilmen Pannell and Reed absent, 2.

The Council then recessed.

APPROVED. O.W.McFadden
Mayor.

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