

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 8, 1929.

The Council was called to order by Mayor Pro tem Pannell. Roll call showed the following members present: Mayor Pro tem Pannell, Councilmen Mueller, Reed, and Steck, 4; absent, Mayor McFadden, 1.

The Minutes of the last meeting were read and Councilman Mueller moved the adoption of same as read. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor Pro tem Pannell, Councilmen Mueller, Reed, and Steck, 4; nays, none, Mayor McFadden absent.

The application of P. J. Anthony to erect a storage garage and gasoline filling station at 2403 San Antonio Street, which had been read at the last regular meeting and laid over, came up for consideration.

In this connection, a large committee was present and filed written protests, signed by the property owners in the neighborhood, the University Faculty Club, the Ex-Students' Association, and the Board of Trustees of the Austin Public Schools, against the erection of a filling station at this location.

Mayor Pro tem Pannell then laid before the Council the following report of the Safety Committee upon said application:

"Austin, Texas,
August 7, 1929

Hon. City Council and
City Manager,
Austin, Texas.

Gentlemen:

We, the Safety Committee of the City of Austin, have considered the application of P. J. Anthony for a permit to construct and operate a garage and drive-in filling station at 2403 San Antonio Street, said garage to be used for the purpose of storing neighborhood cars and the operation of a drive-your-self rent car garage. He has presented to us a plan showing the layout of the garage, proposed connections to a storm sewer and proposed drives. The layout is in accordance with the rules and regulations which have been adopted in general principle by the Safety Committee.

The proposed garage is to be on the west side of San Antonio Street. The property on the east side of San Antonio Street is in a fire district and the type of building which would have to be constructed across the street is a fireproof building which would have to be constructed of brick, stone or concrete. The type of building which Mr. Anthony proposes to construct is a wood frame and corrugated iron and is in a district which had been tentatively selected by Koch & Fowler to be residential. We do not have any restrictions at the present time, except those which the City Council might impose, and those in relation to the type of building which could be built at this site, but we call your attention to the fact that this type of building within thirty feet of any other building will increase the rate of insurance and the proposed type of occupancy would also increase the rate of insurance. This is in accordance with approved practice of the State Fire Insurance Board and the increase of rate is allowed on account of increased hazard from fire. The proposed construction will increase the insurance rate of various neighbors. We, therefore, recommend that the permit should be refused.

(Sgd) J. E. Woody, Fire Chief;

R. F. Rockwood, Fire
Marshal;

Orin E. Metcalfe, City
Engineer;

J. Bouldin Rector, City
Attorney;

Tom Neal, Traffic Police
Captain.

CITY SAFETY COMMITTEE"

Councilman Reed moved that the foregoing permit be denied, for the reason that same is in a residential and not a business section and would deteriorate the value of adjoining property for residential purposes; and also on account of the nearness of same to Wooldridge School. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor Pro tem Pannell, Councilmen Mueller, Reed, and Steck, 4; nays, none, Mayor McFadden absent.

Mayor Pro tem Pannell then called up for consideration the application of Walling, Bradfield & Brush, Agents, to erect a gasoline filling station at No. 1010 Lavaca Street, which had been read at the last regular meeting and laid over.

Mr. Jno. F. Butler then presented a written protest, signed by a large number of residents and property owners in the neighborhood, asking that such permit be not granted. Messrs. Bradfield and Brush were present and with the consent of the Council withdrew said application.

Mayor Pro tem Pannell laid before the Council the following resolution:

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

THAT the sum of Fifteen Thousand Dollars (\$15,000.00) be and the same is hereby appropriated out of the Water and Light Fund, for the purpose of placing same to the Job Account of the U. G. I. Contracting Company, to be used for the payment of labor and materials in connection with the construction at the Water and Light Plant, under the terms of the contract between the City and said Company.

The above resolution was adopted by the following vote: Ayes, Mayor Pro tem Pannell, Councilmen Mueller, Reed and Steck, 4; nays, none, Mayor McFadden absent.

Councilman Reed moved that in accordance with the recommendation of the City Engineer, the proposed ward boundaries as tentatively agreed to between the City and County be approved, and the City Attorney be directed to draw proper ordinance establishing such boundaries and submit same to the Council for passage. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor Pro tem Pannell, Councilmen Mueller, Reed, and Steck, 4; nays, none, Mayor McFadden absent.

Councilman Mueller was excused from the Council Chamber.

Mayor Pro tem Pannell laid before the Council the following report of the Safety Committee:

"Austin, Texas, August 8, 1929.

Hon. Mayor and City Council,
Austin, Texas.

Gentlemen:

We, your committee on the application of P. C. Wolff to construct, revise, and operate a gasoline filling station and garage at the northwest corner of Duval and Forty-third Streets, make the following report:

We, your committee, recommend that permission be granted 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 installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.
- (2) That ceiling of that portion of the building that extends over driveways shall be covered with metal. Supports for portion extended over driveway to be supported by brick or reinforced concrete pillars.
- (3) That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board

of Fire Underwriters. All equipment to be installed in compliance with City and State regulations governing such installations. All equipment to be inspected and approved before being placed in service.

(4) That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. The pumps shall be at least ten (10) feet inside the property line and all equipment shall be not less than thirty (30) feet from adjoining residence.

(5) That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations, and shall be approved by the City Electrical Department.

(6) That "NO SMOKING" signs shall be displayed at all times, and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.

(7) That there shall be kept in an accessible place at all times, a chemical fire extinguisher for emergency use.

(8) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector and that the property owner shall apply for a permit to the City Plumbing Inspector for instructions before proceeding with his work.

(9) That the grades of the station shall be such that no waste oils or water or any floor washing water shall ever pass over the City sidewalk area and that all of said waste oils and water shall be concentrated into a combined grease and sand trap and shall be conducted from said sand trap to the nearest city storm sewer at the expense of the applicant. Before commencement of any construction the applicant shall apply to the City Engineer for an estimate of the cost of the storm sewer and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(10) That a plan of the filling station hereto attached marked 2-H-29 shall be followed during construction and shall be considered a part of this resolution, said plan showing the proposed location of pumps, driveways and methods of draining away waste oils and waters.

(11) That all adjacent walks, ramps, gutters and curbs shall be constructed of concrete and all construction shall conform to the attached plan of the development, marked 2-H-29. That the applicant shall pay for all extra concrete at intersection of Forty-third and Duval Streets not contemplated by original paving in accordance with estimate of the City of Austin Consulting Engineer. That the applicant shall pay for the cost of constructing an asphalt surface between present asphalt and proposed concrete in accordance with the estimate of the City Engineer.

(12) That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector, and the mechanic employed by the applicant to install the gasoline equipment shall apply to Plumbing Inspector for a special permit and shall give Plumbing Inspector sufficient notice when ready for inspection.

(13) That the applicant or the mechanic employed by the applicant to make the installation shall apply to the inspector of Weights and Measures for inspection after the installation has been approved by the Plumbing Inspector.

(14) That before using said station, the owner shall notify the City Engineer for final inspection when he considers that he has complied with all of the requirements of the City.

(15) That permission shall be granted, subject to the above conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, 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 proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that said P. C. Wolff has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Sgd) J. E. Woody, Fire Chief;

R. F. Rockwood, Fire Marshal;

Orin E. Metcalfe, City Engineer;

Tom Neal, Traffic Police Captain

CITY SAFETY COMMITTEE."

Councilman Steck moved that permit be granted to said P. O. Wolff, subject to the foregoing recommendations of the Safety Committee. Motion was seconded by Councilman Reed, and same prevailed by the following vote: Ayes, Mayor Pro tem Pannell, Councilmen Reed and Steck, 3; nays, none, Mayor McFadden and Councilman Mueller absent.

The application of Frank A. Rieger, Jr., to erect an automobile repair shop at 504-6 Rio Grande Street was read and referred to the Safety Committee.

Mayor pro tem Pannell laid before the Council the following resolution:

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

THAT the various premises situated on the north side of West Sixth Street between Augusta Avenue on the east and Patterson Avenue on the west shall hereafter be numbered according to the following plan:

Lots 1, 2 and 3, being a part of the Ledbetter and Greathouse Subdivision of parts of Lots 4 and 5 of the Geo. W. Spear League in West End Heights, and Lots 6, 7, 8 and 9, being a part of Block "A" in the Ecks' Heights Addition out of the Geo. W. Spear League in the City of Austin, Texas, shall be numbered as follows:

Lot 1 to have No. 1708;

Lot 2 to have No. 1710

Lot 3 to have No. 1712

Lot 6 to have No. 1700;

Lot 7 to have No. 1702;

Lot 8 to have No. 1704;

Lot 9 to have No. 1706.

A plat of said plan of numbering, marked 2-C-250, hereto attached, is made a part of this resolution.

The above resolution was adopted by the following vote: Ayes, Mayor Pro tem Pannell, Councilmen Reed and Steck, 3; nays, none, Mayor McFadden and Councilman Mueller absent.

The hearing of the property owners with reference to the improvement of Guadalupe Street from the north property line of Sixth Street to the south property line of West Eighth Street, and Guadalupe Street from the south property line of Eighth Street to the south property line of Nineteenth Street, which hearing had been adjourned from the last regular session of the City Council, was continued until the next regular session.

City Manager Johnson was authorized by the City Council to allow St. Edwards University and Concordia College the half-rate charge for electric lights, and to give free sewage to St. Edwards University.

The Council agreed that City Manager Johnson should grant free swimming privileges at Barton Springs to the orphan children cared for at the Children's Home and the Settlement Club.

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

The Council then recessed.

Approved: *V. H. Pannell*
Mayor Pro tem.