

(1) To amend the USE designation of all that property fronting north on West 21st Street, extending from the alley immediately east of Guadalupe Street to the alley immediately west of Speedway and extending south from the south line of West 21st Street a distance of approximately 140 feet, so as to change same from "B" RESIDENCE DISTRICT to "C" COMMERCIAL DISTRICT.

(2) To amend the requirements of side and rear yards in the FIRST HEIGHT AND AREA DISTRICT, and SECOND HEIGHT AND AREA DISTRICT, as follows: In the FIRST HEIGHT AND AREA DISTRICT and the SECOND HEIGHT AND AREA DISTRICT strike out the third and fourth paragraphs of Section 12 and Section 13 respectively and substitute therefor the following: There shall be a rear yard, and a side yard on each side of the building. The combined area of the rear yard and side yards shall be not less than 45 per cent of the total area of the lot behind and to the rear of the front setback line, provided that no rear yard shall be less than 5 feet in depth and that the total width of side yards shall not be less than 30 per cent of the total width of the lot except that in no case shall the total width of side yards be required to be more than 15 feet and that the least side yard shall in no case be less than 3 feet wide.

(3) To amend the requirements of side and rear yards in the THIRD HEIGHT AND AREA DISTRICT as follows: Strike out the third and fourth paragraphs of Section 14 and substitute therefor the following: There shall be a rear yard and a side yard on each side of the building. The combined area of the rear yard and side yards shall not be less than 30 per cent of the total area of the lot behind and to the rear of the front setback line provided that no side yard shall be less than 3 feet wide and in no case shall be less than 1 inch wide for each foot of building height nor less than 1 inch wide for each foot of building length, and that no rear yard shall be less than 5 feet in depth and that no rear yard shall be required to be more than 25 feet in depth.

(4) To amend the third paragraph of Section 11 of said ordinance by inserting after the word "altered" in the second line of said paragraph, the words "or any building or premises used"; and to insert after the word "building" in the third line of said paragraph, the words "or premises";

and

WHEREAS, the above amendments were considered at a meeting of the City Plan Commission held on July 30, 1931;

BE IT RESOLVED BY THE CITY PLAN COMMISSION:

That the said amendments are hereby approved and that the same are recommended to the City Council for adoption.

The above resolution was received and filed.

No one appearing to protest against the proposed amendments, Councilman Alford moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Gillis, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, and Mayor McFadden, 3; nays, none; Councilmen Mueller and Steck absent, 2.

The Council then recessed.

APPROVED: J. W. McFadden
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 6, 1931.

The Council was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; absent, none.

The Minutes of the last meeting were read and Councilman Alford moved the adoption of same as read. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

B. O. Tharp presented a petition to the Council signed by a number of property owners on Bellvue Place in College Court, asking that this street be paved in connection with the paving of Harris Park Avenue. Councilman Alford moved that this street be ordered paved. Motion was seconded by Councilman Gillis, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Lee Johnson and a committee of hucksters from Govalle appeared before the Council and complained of the fee of twenty-five cents being charged them for parking space at the City's market site and also of the inadequate facilities there. The Mayor assured the committee that the City would endeavor to adjust these matters satisfactorily to all concerned pending the erection of the municipal market building.

Reports of Southwest Bitulithic Company and H. R. F. Melland, Consulting Engineer, stating that the paving has been completed on San Antonio Street from Eleventh to Twelfth Streets, Unit or District No. P-126, except in front of the homestead of Mrs. Evelyn B. Wright, in accordance with the plans and specifications and recommending the acceptance of same, were read and filed.

The Mayor laid before the Council the following resolution:

RESOLUTION ACCEPTING STREET
IMPROVEMENTS CONSTRUCTED BY
SOUTHWEST BITULITHIC COMPANY
ON A PORTION OF SAN ANTONIO
STREET IN THE CITY OF AUSTIN,
PROVIDING FOR PAYMENT OF ANY
BALANCE DUE BY THE CITY FOR
ITS PORTION OF THE COSTS OF
SAID IMPROVEMENTS AND FOR THE
DELIVERY OF CERTIFICATES OF
ASSESSMENTS AGAINST ABUTTING
PROPERTY AND ITS OWNERS.

WHEREAS, on the 24th day of March, 1931, the City of Austin entered into a contract with Southwest Bitulithic Company whereby said company agreed to construct street improvements upon various portions of streets in the City of Austin, Texas, among which portions of streets was the following, to-wit:

SAN ANTONIO STREET from the south line of Eleventh Street to the south line of Twelfth Street, known and designated as Unit or District No. P-126; and

WHEREAS, said contractor has fully completed the street improvements upon said unit or district of improvements above described in accordance with its contract and the plans and specifications made a part thereof and said improvements have been found satisfactory and approved by the Consulting Engineer of the City, and have been found satisfactory and in accordance with the contract by the City Council of said City;

Therefore,

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

I.

That the street improvements constructed by Southwest Bitulithic Company upon said portion of San Antonio Street hereinbefore described be and the same are hereby in all things approved and accepted by the City of Austin.

II.

That any balance of the portion of cost of said improvements agreed to be paid by the City of Austin be forthwith paid to said Contractor, and that the Mayor and City Clerk of said City of Austin be and they are hereby directed to execute and deliver to said Southwest Bitulithic Company assignable certificates of assessment

against the various parcels of property abutting upon said portion of street and the owners of said property as heretofore provided by the ordinance levying assessments against said property and the owners thereof.

III.

That this resolution take effect at once.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Councilman Mueller moved that the work done by Joe Macken under Street Improvement Bond Fund Contract No. 55, being for additional excavation to open Bouldin Creek Cut-off at the south end, be accepted, in accordance with the recommendation of the Consulting Engineer, and that the City Manager be authorized to make final payment on same. Motion was seconded by Councilman Alford, and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Councilman Mueller moved that the work done by Dozier Construction Company under Street Improvement Bond Fund Contract No. 54, being for additional excavation to open Bouldin Creek Cut-off at the north end, be accepted, in accordance with the recommendation of the Consulting Engineer, and that the City Manager be authorized to make final payment on same. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Councilman Mueller moved that the work done by J. R. Blackmore under Street Improvement Bond Fund Contract No. 36, being for the construction of a bridge over Waller Creek at Thirty-fourth Street, be accepted, in accordance with the recommendation of the Consulting Engineer, and that the City Manager be authorized to make final payment on same. Motion was seconded by Councilman Alford and same prevailed by the following votes: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Reports of L. E. Whitham & Company and H. R. F. Helland, Consulting Engineer, stating that the paving has been completed on Trinity Street from the north line of Third Street to the south line of Fifth Street, District No. P-114; East Seventh Street from the east line of East Avenue to the east line of Waller Street, District No. P-147, except in front of the property of Mary Zander and W. E. Fannin; and East Seventh Street from the east line of Waller Street to the west line of Comal Street, District No. P-148, in accordance with the plans and specifications, and recommending the acceptance of same, were read and filed.

The Mayor then laid before the Council the following resolution:

RESOLUTION OF THE CITY OF AUSTIN, TEXAS, ACCEPTING THE IMPROVEMENT OF A PORTION OF TRINITY STREET AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, AND AUTHORIZING THE PAYMENT OF THE BALANCE DUE BY THE CITY OF AUSTIN AND THE ISSUANCE AND DELIVERY OF CERTIFICATES OF SPECIAL ASSESSMENT AGAINST OWNERS OF ABUTTING PROPERTY.

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

That, whereas, heretofore the hereinafter described streets were ordered improved, contract for said work of improvement duly entered into and assessment levied against abutting property and the owners thereof to cover the portion of the cost payable by the said property owners; and

WHEREAS, pursuant to said contract and other proceedings in connection therewith L. E. Whitham & Company has completed the improvement of the following streets, to-wit:

PAVING DISTRICT NO. P-114: TRINITY STREET from the north line of East Third Street to the south line of East Fifth Street;

PAVING DISTRICT NO. P-147: EAST SEVENTH STREET from the east line of East Avenue to the west line of Waller Street;

PAVING DISTRICT NO. P-148: EAST SEVENTH STREET from the east line of Waller Street to the west line of Comal Street;

WHEREAS, said improvement is in strict compliance with the terms of said contract, specifications adopted for said improvement, and other proceedings in connection therewith;

Therefore,

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

That said improvement on said portion of said streets be and the same is hereby accepted as in full compliance with the terms of said contract, specifications and proceedings, and the final estimate due from the City of Austin to L. E. Whitham & Company be and the same is hereby ordered paid.

That the Mayor and City Clerk be and are hereby authorized and instructed to issue, execute and deliver to L. E. Whitham & Company certificates of special assessment against the abutting property and the owners thereof, evidencing the several sums of money assessed against said property and the owners thereof respectively for their pro rata of the cost of said improvement, in accordance with the terms of said contract and proceedings.

That this resolution shall take effect and be in force from and after its passage.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following 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 LAMBIE STREET from San Marcos Street to Waller Street, the center line of which gas main shall be 17 feet south of and parallel to the north line of said Lambie Street. Said gas main shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in TAYLOR STREET from Cross Street to Navasota Street, the center line of which gas main shall be 12 feet south of and parallel to the north line of said Taylor Street. Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in EASON STREET from West Tenth Street to West Twelfth Street, the center line of which gas main shall be 6 feet east of and parallel to the center line of said Eason Street. Said gas main shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in ELM STREET from West Tenth Street to West Twelfth Street, the center line of which gas main shall be 8 feet east of and parallel to the center line of said Elm Street. Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in WOODLAWN AVENUE from West Tenth Street to West Twelfth Street, the center line of which gas main shall be 15 feet west of and parallel to the east line of said Woodlawn Avenue. Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in NATHAN STREET from West Tenth Street to West Twelfth Street, the center line of which gas main shall be 15 feet west of and parallel to the east line of said Nathan Street. 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 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 City Engineering Department 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 out in the vicinity of a fire plug, water must be used at intervals during the course of back filling 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.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following 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 SHELLEY AVENUE from West Twelfth Street to West Thirteenth Street, the center line of which gas main shall be $4\frac{1}{2}$ feet east of and parallel to the center line of said Shelley Avenue. Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in WEST THIRTEENTH STREET from Windsor Road to Lorrain Street, the center line of which gas main shall be 12 feet south of and parallel to the north line of said West Thirteenth Street. 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 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 City Engineering Department 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 wherever pavement is out in the vicinity of a fire plug, water must be used at intervals during the course of back filling 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.

The above resolution was adopted by the following vote : Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the improvements on Lots 5 and 6, Block 149, Original City, Plat 6, are assessed on the Tax Rolls of the City of Austin for the year 1930 in the name of W. R. Hudson, Jr.; and

WHEREAS, the valuation on said improvements was raised by the Tax Department due to a building permit, and a notice having been sent to the wrong address, said W. R. Hudson, Jr., was not given an opportunity to appear before the Board of Equalization to protest said increase in value; and

WHEREAS, due to the above facts, it was agreed between the City and the property owner that the matter of adjusting the valuation on said improvements would be submitted to the Board of Equalization for the year 1931, and that its decision in the matter would be effective for the years 1930 and 1931; Now, therefore,

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

That for the reasons above stated the two-thirds taxable value on said improvements be placed at \$9,265.00 for the year 1930; and the Tax Assessor and Collector is hereby authorized to change his rolls accordingly.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

A communication from G. S. Moore, Building Inspector, recommending that the sign in front of the University Studio at Twenty-first and Guadalupe Streets be moved back off city property, in compliance with the city ordinance regulating same, was read and the matter was referred to the City Manager for an enforcement of the ordinance.

The Mayor laid before the Council the following ordinance:

AN ORDINANCE AMENDING, IN THE CERTAIN PARTICULARS HEREINAFTER STATED, AN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN; AND REGULATING AND DISTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE INDUSTRY, RESIDENCES AND OTHER PURPOSES; AND DIVIDING THE CITY OF AUSTIN INTO DISTRICTS OR ZONES, AND REGULATING AND DISTRICTING THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES OR LAND WITHIN SUCH DISTRICTS OR ZONES; AND PROVIDING UNIFORM REGULATIONS FOR THE SEVERAL CLASSES AND KINDS OF BUILDINGS OR STRUCTURES AND USES WITHIN THE DISTRICTS OR ZONES; AND ADOPTING TWO ZONING MAPS, DISCLOSING RESPECTIVELY THE SEVERAL USE DISTRICTS AND THE SEVERAL HEIGHT AND AREA DISTRICTS, AND THE RESTRICTIONS AND LIMITATIONS AND PROVISIONS APPLICABLE TO SUCH DISTRICTS; AND PROVIDING FOR A BOARD OF ADJUSTMENT AND DEFINING THE POWERS OF SAME; AND PROVIDING CERTAIN PENALTIES AND REMEDIES; AND DECLARING AN EMERGENCY".

The foregoing ordinance was read the first time and Councilman Alford moved a suspension of the rule and the placing of the ordinance on its second reading. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the second time and Councilman Alford moved a further suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Alford moved that same be finally passed. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor laid before the Council for its second reading the following ordinance

AN ORDINANCE REGULATING TRAFFIC ON WEST NINTH STREET BETWEEN ITS INTERSECTION WITH CONGRESS AVENUE AND ITS INTERSECTION WITH LAVACA STREET, IN THE CITY OF AUSTIN, CUMULATIVE OF CERTAIN ORDINANCES HERETOFORE ORDAINED, REPEALING ORDINANCES IN CONFLICT, AND PRESCRIBING PENALTIES.

The above ordinance was read the second time and Councilman Alford moved a suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Alford moved that same be finally passed. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Mayor re-introduced the following ordinance:

ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF PORTIONS OF THIRTIETH STREET AND PORTIONS OF SUNDRY OTHER STREETS AND HIGHWAYS IN THE CITY OF AUSTIN, TEXAS, LETTING CONTRACT THEREFOR, APPROVING FORM OF CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF COST THEREOF.

The above ordinance was read the first time and laid over.

The Mayor laid before the Council for its second reading the following ordinance:

ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING AND PROVIDING FOR THE IMPROVEMENT OF A PORTION OF EAST SIXTEENTH STREET IN THE CITY OF AUSTIN, TEXAS, LETTING CONTRACT THEREFOR, APPROVING FORM OF CONTRACT AND BOND, AND PROVIDING FOR THE PAYMENT OF THE COST THEREOF.

The above ordinance was read the second time and Councilman Mueller moved a suspension of the rule and the placing of the ordinance on its third reading. Motion was seconded by Councilman Gillis and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Gillis and same prevailed by the

following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

City Manager Johnson submitted to the Council a communication from Jack Garrett requesting a remission of the interest and penalties on taxes accrued against the property of his father's estate at 2806 Nueces Street. Councilman Mueller moved that this request be denied, as the granting of same would be contrary to the policy adopted by the City. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

Councilman Alford 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, Councilmen Alford, Gillis, Mayor McFadden, Councilmen Mueller and Steck, 5; nays, none.

The Council then recessed.

Approved: J. M. Fadden
M a y o r .

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 13, 1931.

The meeting was called to order by the Mayor Pro tem. Roll call showed the following members present: Councilman Gillis, Mayor Pro tem Mueller, and Councilman Steck, 3; absent, Councilman Alford and Mayor McFadden, 2.

Mayor Pro tem Mueller stated that the regular order of business would be suspended in order to hear the waiting committees.

This being the day set for the hearing of owners of abutting property and others interested with reference to street improvements to be constructed in the certain Units or Districts of Improvements as follows:

PAVING DISTRICT NO. P-82: Alley in Block 112 between Ninth and Tenth Streets from the east line of Brazos Street to the west line of San Jacinto Street;

PAVING DISTRICT NO. P-63: MANOR ROAD or EAST 23RD STREET from the east line of East Avenue to the City Limits.

PAVING DISTRICT No. P-64: OHICOM STREET from the north line of First Street to the south line of Seventh Street.

PAVING DISTRICT No. P-85: THIRTY-EIGHTH STREET from the west line of Guadalupe Street to the east line of Duval Street.

PAVING DISTRICT No. P-86: COMAL STREET from the north line of First Street to the south line of Seventh Street.

PAVING DISTRICT No. P-87: WEST 34TH STREET from the west line of Guadalupe Street to the east line of Alamo Boulevard.