

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 4, 1972  
10:00 A. M.

COUNCIL CHAMBER, CITY HALL

The meeting was called to order with Mayor Butler presiding. It was noted that Councilman Lebermann would enter the meeting late.

## Roll Call:

Present: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Friedman, Handcox, Mayor Butler  
Absent: Councilman Lebermann

The Invocation was delivered by Mr. Dan Davidson, Deputy City Manager.

## MINUTES APPROVED

Councilman Nichols moved the Council approve the Minutes of the Regular Meeting of April 20, 1972. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Friedman, Handcox, Mayor Butler, Councilman Dryden  
Noes: None  
Absent: Councilman Lebermann

## PROCLAMATION

Mayor Butler read a proclamation designating May 6-12 as "NATIONAL HOSPITAL WEEK", and the citizens were asked to visit the various displays during the week.

Mr. Will Brown, Mrs. Kay Powers, Mr. Claude Rainey, Mr. Jessie Hays and Mrs. Frank received copies of the Proclamation.

## APPOINTMENT OF MR. DAN DAVIDSON AS ACTING CITY MANAGER

Mayor Butler announced that a number of items that will be passed on will require the signature of the City Manager. Mr. Lynn Andrews will be leaving before the transactions can be completed; and it will be in order to name an Acting City Manager.

Councilman Nichols moved the Council adopt a resolution appointing Mr. Dan Davidson as Acting City Manager. The motion, seconded by Councilman Dryden,

carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Friedman, Handcox, Mayor Butler  
Noes: None  
Not in Council Chamber when Roll was called: Mayor Pro Tem Love  
Absent: Councilman Lebermann

Councilman Lebermann Entered the Chamber at this time.

#### FUNDS FOR SOFTBALL COMPLEXES

Councilman Friedman moved the Council adopt a resolution authorizing the City Manager to apply for \$225,000 in HUD Legacy of Parks funds for construction of two softball complexes, each containing four ball fields. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Lebermann, Friedman, Handcox  
Noes: None  
Not in Council Chamber when Roll was called: Mayor Pro Tem Love

#### ZONING ORDINANCES

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: A 3.74 ACRE TRACT OF LAND, LOCALLY KNOWN AS 228-318 ST. ELMO ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Friedman  
Noes: None  
Not in Council Chamber when Roll was called: Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 10-A AND 10-B, OF THE RESUBDIVISION OF LOTS 10, 11, 12, AND A PART OF LOT 13, BLOCK C, BOWLING GREEN SUBDIVISION, LOCALLY KNOWN AS 2301-2303 POLARIS AVENUE; 8614

BOWLING GREEN DRIVE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Love moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Friedman, Handcox

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOTS 5 AND 6, BLOCK 7, BROADACRES SUBDIVISION, LOCALLY KNOWN AS 5329-5339 JEFF DAVIS AVENUE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS: LOT 9, OAKLAND SQUARE, LOCALLY KNOWN AS 108 WEST 38TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the reading on three separate days, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilman Handcox,  
Mayor Butler, Councilman Dryden

Noes: None

Abstain: Councilman Friedman

Not in Council Room when Roll was called: Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA  
AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING  
CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(1) A 19.96 ACRE TRACT OF LAND, LOCALLY KNOWN AS 801-943  
EAST RUNDBERG LANE; 9117-9321 NORTH INTERSTATE HIGHWAY 35,  
FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA  
DISTRICT TO "GR" GENERAL RETAIL, FIFTH HEIGHT AND AREA  
DISTRICT; AND, (2) A 2.22 ACRE TRACT OF LAND, LOCALLY KNOWN  
AS 1805-1811 SOUTH INTERSTATE HIGHWAY 35, FROM "O" OFFICE,  
FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, SIXTH  
HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCATED  
IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING  
THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLAR-  
ING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three read-  
ings, declare an emergency and finally pass the ordinance effective immediately.  
The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Friedman, Handcox, Mayor Butler, Councilmen Dryden,  
Nichols, Mayor Pro Tem Love,

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA  
AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING  
CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 3: A 1.444 ACRE TRACT OF LAND, FROM INTERIM "A"  
RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT; AND,  
TRACT 4: A 2.833 ACRE TRACT OF LAND, FROM INTERIM "A"  
RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR"  
LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,  
TRACT 16: A 6.468 ACRE TRACT OF LAND, FROM INTERIM "A"  
RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR"  
LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,  
TRACT 17: A 2.187 ACRE TRACT OF LAND, FROM INTERIM "A"  
RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B"  
RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,  
TRACT 18: A 0.508 ACRE TRACT OF LAND, FROM INTERIM "A"  
RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR"  
LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 27; A 1.024 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND, TRACT 28: A 0.515 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; LOCALLY KNOWN AS 5600-6010 DECKER LAKE ROAD; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilman Nichols moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Friedman

Noes: None

Abstain: Councilman Lebermann

#### ST. JOHNS COMMUNITY IMPROVEMENTS REPORT

City Manager Dan Davidson reported a survey of the entire St. Johns area had been completed, and the improvements that should be made now will be discussed. Many of the citizens' requests were major in scope, and the costs to install all of the streets and drainage in the St. Johns area would run between \$600,000 and \$800,00.

The Director of Public Works, Mr. Reuben Rountree, on a display map pointed out the improvements that had been made, and what can be done at this time. He located the area as that with Atkinson Road on the south; Cameron Road on the east, and 183 or Ed Bluestein on the north. BENNETT, PROVIDENCE AND BLESSINGS, in addition to ATKINSON are being prepared now for paving, and will be before the Council no later than July 1st. This paving is under the voluntary policy where the property owners participate.

Petitions for paving issued in April 1969 were filed February 18, 1972, without the required number of signatures. These petitions were returned to the group, and later the valid petition covering Bennett, Providence, and Blessings, was filed. Unpaved or graveled streets -- Atkinson, Carver, Providence, and Bethsemane were pointed out as well as the drainage area.

An effort to get easements on Buttermilk Creek was unsuccessful. With written permission from all property owners, the Public Works forces cleaned the Creek, dozed it, widened it, and tried to keep the pipes under the streets cleaned out. He pointed out other easements or drainage ways in the subdivision. Some of that drainage will be done in connection with paving on Bennett Avenue.

The Capital Improvements Program includes purchases of right-of-way for Buttermilk Creek and other improvements; opening a channel in the creek and constructing a bridge at Providence, and one at Carver.

Mr. Rountree discussed the paving of Atkinson Road from IH 35 to Bennett Avenue, in 1961, improved by property owners.

Mr. Rountree described briefly the proposal Dr. Parkins was making. Several groups of University students want to make a project out of this area. The Church

of the Good Shepherd is interested in the same project. Dr. Parkins wants to submit his plan before the Council about May 18th, and if it is approved he believes Federal money will be available.

Under immediate plans, Mr. Rountree stated these three streets will be paved, with property owner participation. Also in the amount is \$40,550 for the drainage down Bennett Avenue. Discussion of costs and funds ensued.

After discussion, Councilman Nichols moved the Council have an Ordinance delcaring the necessity to pave on the next week's Agenda. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Nichols

Noes: None

Not in Council Chamber when Roll was called: Councilman Dryden

It was pointed out even though the necessity to pave were declared next week, the necessary time table would take about two months. Mayor Butler noted also if the utilities are not in, no paving could commence.

Mr. Brown complained of the traffic coming from Ed Bluestein through St. Johns Avenue. The City put up a road block across Carver to head off the traffic from Ed Bluestein because the creek was up so high because of heavy rains. Councilman Friedman suggested Mr. Brown petition for paving of the unpaved streets. Mr. Rountree explained the petitions on these streets went all the way through, but they did not have the 51% sufficient for the complete street. Had the limits been taken, these streets now would not be ready for paving. Councilman Friedman suggested that Mr. Brown go door to door and find the owners and residents and get them to sign another petition.

Reverend Scraggs stated during the summer, there are about 8,000 or 9,000 people coming in for the St. Johns Association, and there will be a lot of dust. He was requesting that Atkinson and all of the area possible get their streets improved.

Mayor Butler and Councilmembers instructed the citizens to try again on the petitioning and to take special care that the property owners signed the petitions and not the tenants.

#### TEXAS CRIMINAL JUSTICE COUNCIL PLANNING FUNDS

Councilman Friedman asked if any progress had been made at all on employing an attorney for the Police Department. City Manager Davidson reported several prospects had been interviewed and he would get a detailed report for the Council.

Councilman Nichols moved the Council adopt a resolution authorizing the City Manager to apply for \$26,100 in funds from the Texas Criminal Justice Council for Criminal Justice Planning. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Councilmen Lebermann, Friedman

Noes: None

Not in Council Chamber when Roll was called: Mayor Pro Tem Love

## SUMMER EMPLOYMENT IN TEXAS

Councilman Handcox moved the Council adopt a resolution authorizing the City Manager to enter into an agreement with the Office of Student Financial Aids at the University of Texas for participation by the City of Austin in Project SET (Summer Employment in Texas). The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols  
Noes: None

## WASTE WATER OPERATIONS

Councilman Lebermann reported that there was a meeting held last Friday at City Hall. The Austin Environmental Council organized a meeting of a number of groups (a list of which the Council had before it). Councilman Lebermann was an observer at the Meeting on Wednesday. In accordance with the collective feeling (which he shared) he agreed to put this matter before the Council and he submitted two Resolutions which the Legal Department had very carefully written after consulting with the Council of the counterpart.

Councilman Lebermann moved the Council adopt a resolution to express its unanimous opposition to the application of Industrial Waste Material Management, Inc., and to request that the Texas Water Quality Board take appropriate action through denial of said application. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Lebermann, Friedman, Handcox, Mayor Butler  
Noes: None  
Not in Council Room when Roll was called: Mayor Pro Tem Love

Councilman Lebermann then moved the Council adopt the second resolution to commend the Commissioners of Travis County for their action in taking this step to protect the citizens and environs of this county and all appropriate support and assistance be given such endeavor. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Nichols, Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden  
Noes: None  
Not in Council Room when Roll was called: Mayor Pro Tem Love

## HRC PROPOSAL - SUMMER JOBS FOR STUDENTS

Miss Connie Moreno, Chairman of the Human Relations Commission, stated this summer there will be between 300 and 350 summer jobs available to students, and the Human Relations Commission requested that the Council recommend that at least 30% of these jobs be made available to disadvantaged students from an income status, and that the T.E.C. determine whether or not they would be disadvantaged. There probably would be at least five out of six applicants from minority groups.

Councilman Nichols moved the Council designate if possible that 30% of these jobs be allocated as requested by Miss Moreno, and that Miss Moreno and the Human Relations Commission be commended for the interest in this matter. The motion,

seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden  
Noes: None

#### ACQUISITION OF LAND

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land for the widening of Manchaca Road as follows:

4511 Manchaca Road - Fred Quist et ux (Partial Acquisition)

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

Ayes: Councilmen Dryden, Nichols, Lebermann, Friedman, Handcox, Mayor Butler  
Noes: None  
Not in Council Chamber when Roll was called: Mayor Pro Tem Love

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land for the widening of Manchaca Road as follows:

4509 Manchaca Road - James W. Sellstrom et ux (Partial Acquisition)

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

Ayes: Councilmen Dryden, Nichols, Lebermann, Friedman, Handcox, Mayor Butler  
Noes: None  
Not in Council Chamber when Roll was called: Mayor Pro Tem Love

Councilman Nichols moved the Council adopt a resolution authorizing the acquisition of certain land for the widening of Manchaca Road as follows:

4607 Manchaca Road - Travis M. Hash et ux (Partial Acquisition)

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

Ayes: Councilmen Dryden, Nichols, Lebermann, Friedman, Handcox, Mayor Butler  
Noes: None  
Not in Council Chamber when Roll was called: Mayor Pro Tem Love

#### CONTRACTS AWARDED

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

DeLAVAL TURBINE, INC.  
(Trenton, N. J.)

- Bid Invitation No. 2-0551, Repair of Boiler Feed Pump and Replacement Spare Parts, Holly Street Power Plant - \$39,346.75.

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

Ayes: Councilmen Dryden, Nichols, Lebermann, Friedman, Handcox, Mayor Butler  
Noes: None

Not in Council Chamber when Roll was called: Mayor Pro Tem Love

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

UARCO, INC.  
(Austin, Texas)

- Bid Invitation No. 2-0844, Twelve (12) month requirement for meter read tickets for use by Data Processing Department - \$5,957.75.

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

Ayes: Councilmen Dryden, Nichols, Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Room when Roll was called: Mayor Pro Tem Love

Councilman Nichols moved the Council adopt a resolution awarding the following contract:

VENABLE SPRINKLER SALES,  
INC.  
(Irving, Texas)

- Bid Invitation No. 0903, Design and materials for twenty automatic and semi-automatic irrigation systems sites at various locations for Parks and Recreation Department under EDA project - \$73,767.65.

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

Ayes: Councilmen Dryden, Nichols, Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Room when Roll was called: Mayor Pro Tem Love

#### EMINENT DOMAIN PROCEEDINGS

Councilman Nichols moved the Council adopt a resolution authorizing Eminent Domain Proceedings for Sanitary Sewer easements on the following:

25 feet out of Lot 21 of Park Hill Addition

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

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Lebermann

Noes: None

Not in Council Room when Roll was called: Mayor Pro Tem Love

Councilman Nichols moved the Council adopt a resolution authorizing Eminent Domain Proceedings for Sanitary Sewer Easements on the following:

A strip of land 10 feet in width out of 32.30 acre tract out of the William Cannon Survey

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

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Lebermann

Noes: None

Not in Council Chamber when Roll was called: Mayor Pro Tem Love

#### ITEM REFERRED TO ELECTRIC BOARD

The item of approving the proposed "Installation Rules and Standards for Electric Service" was taken off the Agenda and referred to the Electric Board, to be brought back after May 17th.

#### SELECTION OF ENGINEERING SERVICES

Councilman Nichols moved the Council select S. A. Garza Engineers, Inc., for engineering service in connection with the proposed relocation of ball field facilities at the Austin State School. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Chamber when Roll was called: Mayor Pro Tem Love

#### ONE WAY TRAFFIC SYSTEM

Father Villanueva appeared before the Council representing the East side community, particularly those on East 2nd and 1st Streets. He reported on the meeting with Mr. Ternus, at which there were more than 100 people present. Mr. Ternus presented the system and the advantage in a fine manner; however, those present and others had expressed themselves still in opposition to this system. The group wants to request that the Council reconsider and do something to reverse the decision of the Transportation Staff. Reverend Villanueva stated the people were not properly informed.

Mr. Joe Ternus, Traffic and Transportation Director, reported on the meeting with many citizens along 2nd and 1st Streets. He believed that these concerns could be minimized, and that the one-way system will benefit the entire community. The businessmen on 1st Street did not believe that the system would be advantageous to them, but they would find that the traffic flow in the area would improve their operations. Mr. Ternus stated his staff was fortunate to receive many of the concerns and ideas of the citizens; and based on those concerns, he would be able to apply additional beneficial control measures to protect the citizens. Some of these controls would be increased enforcement on trucks and on speeding presently occurring on 2nd Street. Another meeting will be held with the residents to determine additional needs as to school safety as well as during the summer after school lets out. He proposed meeting with this group continually, recognizing their needs and evaluating the system with these representatives of the area. Then he would bring back to the Council the results of the evaluation.

Mr. Nash Moreno did not believe that 2nd Street was ready for this type of planning. He issued a complaint of the loaded trucks. Mr. Moreno felt there was not sufficient notification to the residents. It was pointed out by the Mayor that a number of hearings had been held, and notices had been sent out. Mayor Butler stated although traffic will increase on 2nd Street, it will lower on 1st Street; but the overall balance will result in a decrease.

As to the "no parking" on 2nd Street, it was explained this applied to only one section where the street is narrow. It was thought the "no parking" could be initiated rather than widening the street, and eliminating some front yards.

After considerable discussion, Councilman Dryden moved that the streets and traffic be left as is. No second to the motion was made at this time.

Councilman Lebermann asked if it would be disagreeable with the people effected to test this program and let it happen as the Traffic and Transportation Staff had designed it, for a short period of time and see if it works out as anticipated?

Discussion was held on the funds allocated for this one-way system, and the amount actually spent for implementation. Mr. Ternus listed the amount and items already under way -- underground cables, etc., and the effects on the City-wide system.

Mr. Velez Trinidad discussed the widening of the street, and installation of sidewalks on only one side. He asked for sidewalks up to East 1st Street for the children.

Mr. Ternus summarized the situation, stating that \$64,000 was allocated for 2nd Street. If the system were not in place, the \$64,000 would not have been spent. Of that amount, approximately \$25,000 for street lighting was installed. On 1st Street, about half of the \$195,000 has been spent. This cost would continue no matter what was done to 1st Street. If the one-way system is created, the investment would be fulfilled. If not, there is the choice of doing nothing to 1st Street, or if 1st Street is widened, there will be additional costs that cannot be estimated. He believed this money would be an investment, and there would be great benefits to the community.

Mayor Butler stated the one-way street pattern has been in operation for years all over the City. Funds had been spent above and beyond that would be necessary for this type of project to improve the safety of this area. He believed the system, once implemented, will be viewed by the people as a benefit, and it must be recognized that the area of 2nd Street is also a part of the overall City.

Mrs. Sandy Yonquist, teacher, stated the pedestrian traffic had been overlooked and on the East side, they were very low on parking space, and the children are bicycle riders. She spoke briefly about the school children and the traffic.

At this point, Councilman Friedman seconded Councilman Dryden's motion to leave the streets and traffic as is. The motion failed to carry by the following vote:

Ayes: Councilmen Dryden, Friedman

Noes: Councilmen Handcox, Nichols, Lebermann, Mayor Butler

Not in Council Chamber when Roll was called: Mayor Pro Tem

Councilman Lebermann stated Mrs. Yonquist had made a number of extremely valid points about the safety of pedestrians, and he asked Mr. Ternus if he could turn his attention to those problems created, and see if there is any way to make crossings for the school children.

Mr. Ternus replied they were using traffic signal lights, and he intended to meet with the residents again, and continue to pick out other crossings where it would be desirable to place protection, including reduction in speed limits, and these sorts of things.

City Manager Davidson stated the Staff could commit to perform the most thorough evaluation and follow up program on this plan that it had ever done on a one-way system. From the standpoint of children and adult pedestrians and private property owners with parking problems, they could observe exactly what happens, document it and come up with suggestions that could be discussed with the property owners and return with a report to the Council. Mr. Ternus and his people can do a good job on this. Mr. Moreno was agreeable to this suggestion, adding again the subject of trucks. Father Villanueva asked if there were any other avenue open for action on the part of the community if it so desires. Councilman Nichols stated this decision was made some time ago after several hearings, and the action then was to make a one-way system. Legally speaking, Mr. Jerry Harris, Assistant City Attorney, stated Courts had established that no one had the right to two-way traffic in front of their property, and Cities had been upheld on their one-way streets.

Councilman Lebermann stated the City Manager had made an excellent suggestion that a very thorough study be continued after this program is implemented -- if it is -- and those special problems would be dealt with and reported to the Council. It was reported the timing would begin at once, and about once every 60 days, the overall performance could be evaluated.

Mr. Joseph suggested trying his plan before making the change, and eliminating all parking on 1st Street from the Interregional on down.

Councilman Nichols suggested that no action be required, because the action was taken some time ago on this.

In conclusion, City Manager Davidson stated assuming that that City will complete this plan, Mr. Ternus' Department and his Office are committed to this thorough study which he had discussed, and in the meantime if there were any problems, the people are free to call Mr. Ternus' Office. Mr. Moreno stated they would have to get together.

#### APPOINTMENTS TO ENVIRONMENTAL BOARD

Mayor Butler announced the appointment of the following as members of the Citizens Board of Natural Resources and Environmental Quality:

MRS. ROBERT M. WILKES  
MR. RICHARD S. (CACTUS) PRYOR  
DAVID B. BARROW, SR.  
RUSSEL H. FISH  
MRS. FAGAN DICKSON  
THOMAS H. WOLFE  
DONALD C. BERMAN  
DR. LEON COLE

REVEREND N. W. BACON, JR.  
CLARENCE HANSEN  
JOHN SUTTON  
JAMES O. GERST  
JAC L. GUBBLES  
DR. GEOFFREY B. STANFORD  
RAMIRO DIAZ  
JAMES SINCLAIR BLACK  
TOM W. BRADFIELD

#### Ex Officio Members:

STUART HENRY  
DON BUTLER

DICK LILLIE  
BEVERLY SHEFFIELD

## ANNEXATION ORDINANCE

Mayor Butler brought up the following ordinance for its third and final reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 28.30 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Nichols moved the Council pass the ordinance through its third and final reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

The Mayor announced that the ordinance had been finally passed.

## AGREEMENT FOR OFFICE SPACE IN TRAVIS BLDG.

Mr. Morahan, Director of Land Division, reported the owner had agreed to construct certain partitions to create the offices to be houses in the Travis Building. Some Partitions would be from floor to ceiling and some would be free standing, about seven feet high. The remodeling would be four cents a month; the total 28 cents plus four cents, or \$3,000 to \$3,500.

The Council discussed this lease in detail -- whether or not restrooms, elevators, stairways, were included; a double check on the square feet; the term-- five years with a three year option. Mayor Butler was anxious to verify the square footage, and City Manager Davidson stated they would check this.

Mr. Davidson stated the Manpower Program which the Council had asked to be implemented, would be housed in the Travis Building. Mr. Homer Reed stated the bulk of the space to be leased would be for the Public Service Careers Program which has recently been funded by the Federal Government 100%. This program is to make job opportunities available to disadvantaged people who cannot meet the minimum qualifications for jobs with the City of Austin. Under this program, these employees can be trained to meet minimum qualifications. Mr. Reed stated Mr. Patterson had been employed as Director of this program, and he is setting up an office, interviewing and employing staff at this time. He was recently retired from the Air Force and has purchased a home in Austin, and is a graduate of Huston-Tillotson College.

Mr. Reed stated this space is needed as soon as possible, as there is no place to go.

Councilman Dryden stated the Council should face the facts and try to buy a building. The Council discussed the details of this lease and the need. Mayor Butler stated the City could pay the \$3300 cash and rent the area month to month, with the provision that the City could take its partitions with it when they moved.

He asked that by next week the City Manager would (1) verify the square footages, (2) ask the lessor if the City can rent this particular space on a month to month basis and then discuss the other item with them, and finalize the lease by next Thursday.

#### ZONING WITHDRAWN

Councilman Nichols moved the Council grant the request made by Truman H. Montandon to withdraw zoning File No. C14-71-263, heard by the City Council on February 17, 1972. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman  
Noes: None

#### ITEM DELAYED

The Council delayed the appearance of the South Austin Civitan Club until May 11, and asked that the Club be notified that it is scheduled for that date.

#### BEER AT STUDENT UNION

Councilman Friedman called attention to the letter from Dr. Spurr at the University, relative to serving beer at the Student Union. This letter from Dr. Spurr was requested two weeks ago, before the Council called for a public hearing to discuss changing the Ordinance to permit the sale of beer at the University. Councilman Friedman moved that a public hearing on proposed changes in the City's Code (14.4) be set on June 8th. Mayor Butler stated the Council had asked him to say if the Council took positive action, that he would act favorably, but this was not included in the letter. Councilman Lebermann stated there should be an indication from the Regents before the Council called a hearing.

Councilman Lebermann then seconded Councilman Friedman's motion to set the City's Ordinance for Public Hearing on June 8th. (2:00 P. M.) The motion failed by the following vote:

Ayes: Councilman Friedman  
Noes: Councilmen Dryden, Nichols, Lebermann, Handcox, Mayor Butler  
Not in Council Chamber when Roll was called: Mayor Pro Tem Love

#### VACATION OF STREETS - LAGUNA GLORIA FIESTA

Councilman Nichols moved the Council grant the request with the idea in mind that no vehicles will be used to block the streets, vacating various streets in connection with Laguna Gloria Fiesta on May 19th and 20th until about 10:00 P. M. each day as follows:

1. Close 35th Street at the intersection of Balcones.
2. Close Foothill Drive at the intersection of Foothill Parkway.
3. Close Mt. Bonnell Drive at the intersection of Foothill Parkway.

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

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Councilman Lebermann  
Noes: None

**MR. C. BEN HIBBETTS - LAND PURCHASED AT HANCOCK & NORTH LOOP**

Mr. C. Ben Hibbetts appeared before the Council pointing out the property he had purchased from the City at Hancock Drive and North Loop in 1971. This property had been dedicated as public right-of-way and he would like to have 10' vacated subject to departmental approval. (535 square feet) The owners think that they need to sell gasoline, and the purpose of this 10' is to conform to the setback requirements of gasoline pumps. Assistant City Attorney, Jerry Harris, stated there was a normal procedure for bringing right-of-way property up for vacation, and usually the matter is referred to the Planning Department. City Manager Davidson stated this would need careful checking and processing. Traffic and Transportation Staffs indicated this right-of-way will be needed. It may be that some kind of license agreement could be worked out where the land could be used until it is needed by the City.

The matter was deferred until the following week, and Mayor Pro Tem Love suggested that Mr. Hibbetts contact Mr. Jerry Harris, Assistant City Attorney, to see if a license agreement could be worked out.

**ZONING HEARINGS**

The Mayor announced it was 10:00 A. M. and the Council would hear the zoning cases scheduled for public hearing at this time. The Director of Planning reviewed each case, locating them in the area, describing the uses of surrounding properties, and adequacy of streets.

EMILY S. WEST TRUST  
By Byron L. Kidd  
C14-72-044

2501-2507 So. 1st St.

From "A" Residence &  
"C" Commercial to "C"  
Commercial RECOMMENDED  
by Planning Commission

Councilman Nichols moved the Council grant the change from "A" Residence & "C" Commercial to "C" Commercial District as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Friedman, Handcox, Mayor Butler,  
Councilmen Dryden, Nichols

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

FRANCIS KARBBER  
By Edward J. Voltin  
C14-72-045

8312-8316 No. Lamar  
Boulevard

From "C" Commercial  
Sixth Height and Area  
to "C-2" Commercial  
Sixth Height and Area  
RECOMMENDED by Planning  
Commission

Councilman Nichols moved the Council grant the change from "C" Commercial Sixth Height and Area to "C-2" Commercial Sixth and Area as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols,  
Mayor Pro Tem Love

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

CALVIN A. BRAGG  
C14-72-052

Rear of 2529-2601  
So. Congress Avenue

From "A" Residence  
First Height and Area  
to "C" Commercial  
Second Height and Area  
RECOMMENDED by the  
Planning Commission

Councilman Nichols moved the Council grant the change from "A" Residence First Height and Area to "C" Commercial Second Height and Area as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Friedman

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

M. J. KOURI  
C14-72-052

5701 Woodrow Avenue

From "A" Residence to  
"B" Residence RECOM-  
MENDED By Planning  
Commission

Councilman Nichols moved the Council grant the change from "A" Residence to "B" Residence as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Friedman, Handcox

Noes: None

Not in Council Room when Roll was called: Councilman Lebermann

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

CLEAR CREEK  
PROPERTIES, INC.  
ET AL  
By Carl Morris  
C14-72-067

1700-2216 Bitter Creek Dr.  
1701-2217 Bitter Creek Dr.  
6619-6717 Old Lockhart  
Highway

From "A" Residence to  
"MH" Mobile Home as  
RECOMMENDED by the  
Planning Commission

Councilman Handcox moved the Council grant the change from "A" Residence to "MH" Mobile Home as recommended by the Planning Commission. The Motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Friedman, Handcox, Mayor Butler

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

CLEAR CREEK  
PROPERTIES, INC., &  
JEAN HOLLOWAY  
By Carl B. Morris  
C14-72-068

6601-6619 Old Lockhart  
Highway  
1801-1807 No. Bluff Dr.  
(Chunn Lane)

From "A" Residence to  
"LR" Local Retail  
RECOMMENDED by the  
Planning Commission

Councilman Nichols moved the Council grant the change from "A" Residence to "LR" Local Retail as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

Not in Council Chamber when Roll was called: Councilman Lebermann

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

J. C. PETERSON  
C14-72-070

Rear of 2100 East  
Riverside Drive

From "GR" General Re-  
tail to "C-2" Commer-  
cial RECOMMENDED by  
the Planning Commission

Councilman Nichols moved the Council grant the zoning change as recommended by the Planning Commission from "GR" General Retail to "C-2" Commercial. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann

Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

JAMES K.  
EICHELBERGER, JR.  
C14-72-032

Rear of 7107-7203  
Burnet Road

From "A" Residence to  
"O" Office (as amended)  
RECOMMENDED as amended  
subject to a 20' build-  
ing setback along the  
north property line.

Councilman Nichols moved the change be granted to "O" Office (from "A" Residence) as amended subject to a 20' building setback along the north property line. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols,  
Mayor Pro Tem Love, Councilmen Lebermann, Friedman  
Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

CARPENTER and  
ASSOCIATES  
By C. B. Carpenter  
C14-72-041

1819-1919 U. S. Hwy. 290

From "C" Commercial,  
"GR" General Retail, &  
"A" Residence to "C"  
Commercial RECOMMENDED  
subject to a 10' building  
setback and a 6'  
privacy fence on the  
east and south property  
lines.

Councilman Nichols moved the Council grant the change from "C" Commercial, "GR" General Retail and "A" Residence to "C" Commercial as subject to a 10' building setback and a 6' privacy fence on the east and south property lines. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox  
Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

ROBERT C. NOREN  
By Tom Curtis  
C14-72-042

4614-4616 Glissman Rd.

From "A" Residence to  
"C" Commercial RECOM-  
MENDED by Planning  
Commission subject to a  
short form subdivision  
combining the contig-  
uous bakery property,  
5' of right-of-way on  
Glissman Road except  
for Lot 3 where right-  
of-way has already been  
dedicated, 15' of right  
of-way or to the face  
of existing building,  
whichever is less, on  
Springdale Road, a 6'  
privacy fence and a 25'  
building setback on the  
east property line.

Councilman Nichols moved the Council grant the change as recommended by the Planning Commission from "A" Residence to "C" Commercial as subject to a short form subdivision combining the contiguous bakery property, 5' of right-of-way on Glissman Road except for Lot 3 where right-of-way has already been dedicated, 15' of right-of-way or to the face of existing building whichever is less, on Springdale Road, a 6' privacy fence and a 25' building set back on the east

property line. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

ODAS JUNG  
By Joe Jung  
C14-72-043

Rear of 2251-2257 Post  
Road

Tract 1:  
From "C" Commercial  
Second Height and Area  
To "C-2" Commercial  
Second Height and Area  
Tract 2:  
From "A" Residence  
First Height and Area  
To "C" Commercial  
Second Height and Area  
RECOMMENDED by the  
Planning Commission  
subject to a 20' build-  
ing setback and a 6'  
privacy fence on the  
east property line.

Councilman Dryden moved the Council grant the change from "C" Commercial Second Height and Area to "C-2" Commercial Second Height and Area on Tract 1 and from "A" Residence First Height and Area to "C" Commercial Second Height and Area on Tract 2 as recommended by the Planning Commission subject to a 20' building setback and a 6' privacy fence on the east property line. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

Abstain: Councilman Nichols

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

DOUGLAS R. DAY  
By John Selman  
C14-72-046

2832 Salado St.

From "A" Residence to  
"B" Residence RECOMMEND-  
ED by the Planning Com-  
mission subject to 5'  
of right-of-way on  
Salado

Mayor Pro Tem Love moved the Council grant the change from "A" Residence to "B" Residence as recommended by the Planning Commission subject to 5' of right-of-way on Salado. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden  
Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

WEST BUILDING &  
DEVELOPMENT, INC.,  
Donald West,  
President  
By John F. Campbell  
C14-72-051

6808-6900 So. 1st. St.

From Interim "A" First Height and Area to "BB" Residence First Height and Area (as amended) RECOMMENDED as amended subject to 10' of right-of-way on Buckingham Place

Mayor Pro Tem Love moved the Council grant the change from Interim "A" Residence First Height and Area to "BB" Residence First Height and Area as recommended by the Planning Commission as amended subject to 10' of right-of-way on Buckingham Place. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love  
Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

R. H. SWENSON  
By Joseph P. Cotruzzola  
C14-72-057

2821-2825 Rio Grande St.

From "B" Residence Second Height and Area To "O" Office Second Height and Area RECOMMENDED subject to 5' of right-of-way on Rio Grande

Councilman Lebermann moved the Council grant the change from "B" Residence Second Height and Area to "O" Office, Second Height and Area as recommended by the Planning Commission subject to 5' of right-of-way on Rio Grande. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Lebermann, Handcox  
Noes: None

Not in Council Chamber when Roll was called: Mayor Pro Tem Love, Councilman Friedman

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

MARY E. BAYLESS  
C14-72-059

901-903 Taulbee Lane

From "A" Residence to  
"B" Residence RECOM-  
MENDED by the Planning  
Commission subject to  
5' of right-of-way on  
Taulbee

Councilman Nichols moved the Council grant the change as recommended by the Planning Commission from "A" Residence to "B" Residence subject to 5' of right-of-way on Taulbee. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Lebermann, Handcox, Mayor Butler

Noes: None

Not in Council Chamber when Roll was called: Mayor Pro Tem Love,  
Councilman Friedman

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

CONWAY TAYLOR  
By Milton A. Morse,  
Jr.  
C14-72-061

1509 W. North Loop

From "A" Residence to  
"O" Office RECOMMENDED  
subject to 15' of right  
of-way on North Blvd.

Councilman Nichols moved the Council grant the change from "A" Residence to "O" Office as recommended by the Planning Commission subject to 15' of right-of-way on North Boulevard. The Motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Nichols, Lebermann, Handcox, Mayor Butler, Councilman  
Dryden

Noes: None

Abstain: Mayor Pro Tem Love

Not in Council Chamber when Roll was called: Councilman Friedman

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

C. L. REEVES  
C14-72-062

Rear of 3442-3512  
Greyston Dr.

From "A" Residence to  
"LR" Local Retail  
RECOMMENDED by the  
Planning Commission sub-  
ject to the property  
termination of Shadow  
Park Drive north of  
Greyston Dr. also sub-  
ject to the additional  
restriction imposed by  
Director of Planning.

Councilman Nichols moved the Council grant the change from "A" Residence to "LR" Local Retail as recommended by the Planning Commission subject to the property termination of Shadow Park Drive north of Greystone Dr. also subject to the additional restriction imposed by the Director of Planning.

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

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox, Mayor Butler,  
Councilmen Dryden, Nichols

Noes: None

Not in Council Chamber when Roll was called: Councilman Friedman

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

WILBURN E. VASQUEZ  
C14-72-065

4608-4610 Bennett  
Avenue

From "A" Residence to  
"B" Residence RECOM-  
MENDED by the Planning  
Commission subject to  
5' of right-of-way on  
Bennett Avenue.

Mayor Pro Tem Love moved the Council grant the change from "A" Residence to "B" Residence as recommended by the Planning Commission subject to 5' of right-of-way on Bennett. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Lebermann, Handcox, Mayor Butler, Councilman Dryden,  
Mayor Pro Tem Love

Noes: None

Not in Council Room when Roll was called: Councilmen Nichols, Friedman

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

CLEAR CREEK  
PROPERTIES, INC.  
By Carl B. Morris  
C14-72-069

1809-2001 No. Bluff Dr.

From "A" Residence to  
"C" Commercial RECOM-  
MENDED subject to a  
restrictive covenant  
stating that should  
this property be used  
for other than Mobile  
Homes Sales in relation  
to a Mobile Home Park  
it will revert to "GR"

Mayor Pro Tem Love moved the Council grant the change as recommended by the Planning Commission from "A" Residence to "C" Commercial subject to a restrictive covenant stating that should this property be used for other than Mobile Home sales in relation to a Mobile Home Park it will revert to "GR" General Retail. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor  
Pro Tem Love, Councilman Lebermann

Noes: None

Not in Council Chamber when Roll was called: Councilman Friedman

The Mayor announced that the change as recommended by the Planning Commission had been granted and the City Attorney was instructed to draw the necessary ordinance to cover.

BUCKINGHAM PLACE  
DEVELOPMENT, INC.  
By Donald L. West  
C814-72-004

So. 1st Street and  
Turtle Creek Blvd.

Planned Unit Development subject to departmental requirements with exception of requiring applicant to withdraw his request for a zoning change on the property (C14-69-029) RECOMMENDED by Planning Commission.

Councilman Nichols moved the Council grant the change to Planned Unit Development as recommended by the Planning Commission subject to departmental requirements with exception of requiring applicant to withdraw his request for a zoning change on the property (C14-69-029). The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love,  
Councilmen Lebermann, Handcox

Noes: None

Not in Council Chamber when Roll was called: Councilman Friedman

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

JOHN J. STOKES  
By Edgar James  
C14-72-050

4510-4528 So. Congress  
125-209 St. Elmo Road

From "DL" Light Industrial and "A" Residence to "C" Commercial NOT recommended RECOMMENDED "C" on all of Tracts 1 and 2, excluding the west 200' of both tracts which will be zoned "B" Residence.

Mayor Pro Tem Love moved the Council grant the change from "DL" Light Industrial and "A" Residence to "C" Commercial on all of Tracts 1 and 2, excluding the west 200' of both tracts which will be zoned "B" Residence as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

C. L. REEVES  
By Robert L. Davis  
C14-72-063

3501-3503 Westchester  
Avenue  
824 Balcones Drive

From Interim "A"  
Residence First Height  
and Area to "LR" Local  
Retail First Height  
and Area as amended NOT  
Recommended as amended  
RECOMMENDED "O" Office  
First Height and Area  
by the Planning Com-  
mission.

Councilman Nichols moved the Council grant the change from Interim "A" First Height and Area to "O" Office First Height and Area as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden  
Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

ROBERT F.  
HIGGINBOTHAM  
By John Selman  
C14-72-066

6935 Hwy. 290 East

From "A" Residence  
First Height and Area  
To "C" Commercial  
Second Height and  
Area NOT Recommended  
RECOMMENDED "C" First  
Height and Area by  
Planning Commission

Mayor Pro Tem Love moved the Council grant the change from "A" Residence First Height and Area to "C" Commercial First Height and Area as recommended by the Planning Commission. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols  
Noes: None

The Mayor announced that the change had been granted as recommended and the City Attorney was instructed to draw the necessary ordinance to cover.

E. W. CULLERS  
C14-72-048

3907-3909 Peterson  
1407 W. 39 $\frac{1}{2}$  Street

From "A" Residence to  
"B" Residence RECOM-  
MENDED subject to 5' of  
right-of-way on W. 39 $\frac{1}{2}$   
by Planning Commission

Mr. Dick Lillie, Director of Planning, stated this site was off Shoal Creek Boulevard, north of W. 38th Street. Several cases have been granted the requested zoning. The staff had recommended that the zoning not be granted because of the character of the neighborhood, but the Commission and Council had felt the zoning was appropriate. There will be other requests on the south side of 39th Street

in the next few months.

Ms. Alicia Romera, owner of 3808 Ponca, opposed, stating the property was bought for a homestead for Aunt Martha and her children. If this is granted, she would like also to apply for apartment zoning to be built there. Mrs. Morales felt that apartments would add traffic to the extent it would endanger the children; some of whom are adolescents. It appeared to Mayor Pro Tem Love that Ms. Romera perhaps may fear an element that might get into the apartments, and be a detriment to the children in the neighborhood. Councilman Friedman asked what was the basic opposition of the staff. Mr. Lillie stated this was a single family well-maintained neighborhood; and once apartment zoning encroaches, there will be other applications for the same type of zoning, and the area is not adequate to accomodate such development.

Mr. R. S. Duncan, proposed purchaser of this property, wants to build a two story eight unit brick apartment house. He pointed to a multi-unit apartment house across the street on Peterson, which had been there for 10 years. Other apartments have been developed recently in the neighborhood.

Councilman Nichols moved the Council grant the change from "A" Residence to "B" Residence as recommended by the Planning Commission subject to 5' of right-of-way on W. 39th  $\frac{1}{2}$  Street. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox,  
Mayor Butler, Councilmen Dryden, Nichols  
Noes: None

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

H. I. GALLAWAY,  
W. H. WHITE &  
WAYLAND GALLAWAY  
By Price Ashton  
C14-72-049

5211-5215 Duval

From "A" Residence to  
"LR" Local Retail NOT  
Recommended RECOMMENDED  
"LR" Local Retail on  
Lots 11 through 16,  
subject to 20' of right  
of-way on East 53rd St.  
35' building setback  
from the new right-of-  
way line (to allow  
City to purchase 10'  
of additional right-of-  
way at a future date),  
5' of right-of-way and  
5' sidewalk easement  
on Duval Street a 10'  
setback and a 6' pri-  
vacy fence on the south  
property line, by the  
Planning Commission  
with these conditions  
including an amendment  
of the Planning Com-  
mission for "O" Office  
on first three lots &

C14-72-049(Cont'd.)

5211-5215 Duval

"B" Residence on the  
fourth lot off 53rd  
Street.

The Director of Planning stated that on 53rd Street at this location, all of the right-of-way would come off the south side. The Commission felt that would be too restrictive to require all of the right-of-way, and indicated that the City purchase a portion of it. The Commission requested "O" Office District on the first three lots off 53rd Street, and "B" on the fourth lot, rather than the "LR".

After discussion, Councilman Lebermann moved the Council grant the change from "A" Residence to "O" Office on the first three lots off 53rd Street and "B" Residence on the fourth lot, in accordance with the owners' application for "O" Office and "B" Residence, and to "LR" Local Retail on Lots 11 through 16, subject to 20' of right-of-way on East 53rd Street, 35' building setback from the new right-of-way line (to allow City to purchase 10' of additional right-of-way at a future date), 5' of right-of-way and a 5' sidewalk easement on Duval Street, and a 10' setback and a 6' privacy fence on the south property line. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman  
Nichols, Mayor Pro Tem Love  
Noes: Councilman Dryden

The Mayor announced that the change had been granted as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

#### Zoning Postponed

DON J. JACKSON  
C14-72-053

4310-4312 Eilers Avenue.

From "A" Residence  
First Height and Area  
To "B" Residence  
First Height and Area  
to "B" Residence  
Second Height and Area  
NOT Recommended by  
Planning Commission  
POSTPONED

Councilman Lebermann moved the Council postpone this zoning application for 30 days pending the area study. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor  
Pro Tem Love, Councilmen Lebermann, Friedman  
Noes: None

#### ZONING DENIED

DON J. JACKSON  
C14-72-053

2005-2201 Ohlen Road

From "A" Residence to  
"B" Residence NOT  
Recommended

Mr. Don Jackson requested this zoning change to enable him to build two additional units on each of 7 lots, which would result in a fourplex on each lot.

He planned to provide parking on the lots so that the cars could be driven right out on the street without having to back out into traffic. He felt that these fourplexes would provide a buffer zone to the surrounding "A" Residential, as Ohlen Road would be a neighborhood collector street, in fact, could even qualify as a commercial collector.

Mr. Dick Lillie, Director of Planning, pointed out that this was a well-maintained single family area, and that zoning of this sort would begin strip zoning in the area. It would not be possible to grant "BB" as the lots were too small, and "B" zoning would allow a total of 56 units, where there are now 14.

Mayor Pro Tem Love moved the Council grant the change from "A" Residence to "B" Residence. The motion, which was seconded by Councilman Nichols, received the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Nichols, Lebermann  
Noes: Councilmen Friedman, Handcox, Mayor Butler

Later in the meeting, Councilman Lebermann pointed out he meant to uphold the Planning Commission, and his vote should have been "no". The final vote was:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Nichols  
Noes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler

Q. S. FRANKS  
C14-72-Q47

1702-1726 Tannehill  
Street

From "A" Residence to  
"MH" Mobile Home NOT  
Recommended

Councilman Nichols moved the Council deny the change from "A" Residence to "MH" Mobile Home as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden,  
Nichols, Mayor Pro Tem Love, Councilman Lebermann  
Noes: None

DON J. JACKSON  
C14-72-054

8016 Gault Street

From "A" Residence  
First Height and Area  
To "B" Residence  
Second Height and Area  
NOT Recommended by Pl-  
anning Commission.

Mr. Glen Cortez represented Mr. Don Jackson for the application for zoning change at 8016 Gault, pointing out the area on the map and showing the commercial developments in the vicinity — H.E.B. and Wooko are two of the commercial projects. There is an apartment complex with 260 apartments. School and church sites were noted to be across the street from this site. This particular property merits the Council's consideration for "B" Residence zoning, because commercial and non-residential property surrounds this property. The Staff says this would be an intrusion into well-established single family residences, but Mr. Cortez noted the intrusion was the single family residences and not the other way around. Within the area is a large number of duplexes and non-single family uses. The subject property is across the street from Wooten which is open on the ground. Mr. Cortez stated because of the heavy non-residential development in all directions from this property that consideration for "B" zoning would be appropriate.

No opposition appeared.

Although Mr. Jackson had no architectural drawings, he pointed to a map showing the layout and described the fast apartment complex development in the area. He pointed out another area of rental property, stating the area is a rental area because of the good access in and out; and because it is bounded by heavy commercial and the railroad tracts and apartment zoning on all sides. This property, if developed, would not change the neighborhood.

Further discussion ensued. Councilman Handcox moved the Council uphold the Staff and the commission and deny the change from "A" Residence to "B" Residence. The motion, seconded by Councilman Friedman, failed by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox

Noes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love

Councilman Dryden then moved the zoning be granted subject to 5' of right-of-way on Gault Street, and 5' of right-of-way on Wooten Drive. Councilman Nichols seconded the motion, which received the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love

Noes: Councilmen Friedman, Handcox, Lebermann

It would have been necessary for the motion to receive six votes to override the Planning Commission.

Councilman Nichols inquired about the tract property seemingly outside of the City limits. The Director of Planning stated this property was in the County and it has been awaiting completion of right-of-way for the interchanges. That is now completed, and they could proceed with annexation.

CONRAD BLEVINS  
C14-72-056

6901-6903 Bennett Ave.  
924-928 Atkinson Road

From "A" Residence to  
"O" Office RECOMMENDED  
subject to 10' of  
right-of-way on Atkin-  
son Road and 5' of  
right-of-way on  
Bennett Avenue.

Councilman Nichols moved the passage of this zoning application. Councilman Dryden seconded the motion.

Councilman noted the Staff had recommended denial of this zoning. The Director of Planning stated this tract is on the edge of the St. John's neighborhood, and the Staff had felt for a long time that this neighborhood should be protected from zoning encroachments. Several applicants throughout the years had withdrawn their applications. The St. John's neighborhood has a program of development and improvement, and the Staff is interested in encouraging a program such as this. Councilman Lebermann stated the maintenance of the neighborhoods is of urgency since public housing is so limited. It has lots of social implications in terms of general ability.

Discussion was held on the lack of adverse comment, and that many of the homes are being rented, and some are under contract of sale. Since these owners under contract do not receive the notices, it was suggested that notice might be given through the utility bills. Mayor Butler stated he would like to see a method developed whereby a mailing list from the utility deposits could be made.

Mr. Lillie stated he would look into this with the Legal Department.

Roll call on Councilman Nichols' motion to grant the zoning, seconded by Councilman Dryden, failed to carry by the following vote:

Ayes: Councilmen Handcox, Dryden, Nichols

Noes: Councilman Friedman, Mayor Butler, Councilman Lebermann, Mayor Pro Tem Love

Mayor Butler stated that these four negative votes overruled the positive recommendation of the Planning Commission, and the vote denies the zoning.

Mr. Conrad Blevins, owner, stated directly across the street from him are 80 acres of commercial land. Other property backing up to his is also commercial. Mr. Blevins wanted to develop an office building for lease, to a realtor, to a Veteran's Administration inspector, and others. Councilman Dryden stated Atkinson Road is to be a cross-town from Cameron to the Interregional and likely would have commercial development all along there.

Mayor Pro Tem Love stated the application is premature as there has been a report on the St. John's neighborhood discussing a comprehensive program under way.

Councilman Dryden moved the Council rescind the prior vote and postpone action on this request. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

Ayes: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman

Noes: None

Later in the afternoon, and after more discussion, Councilman Nichols moved the Council grant the zoning request from "A" Residence to "O" Office. The motion, seconded by Mayor Pro Tem Love, failed to carry by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love

Noes: Councilmen Friedman, Handcox, Mayor Butler, Councilman Lebermann.

MRS. STUART LONG  
CL4-72-064

615 Peacock Lane

From "A" Residence to  
"BB" Residence (as  
amended) NOT Recommend-  
ed by the Planning  
Commission

Mr. Dick Lillie, Director of Planning, described the area noting it was developed and zoned for single family and duplex purposes. The Staff recommended against this zoning as it was an encroachment into the residential neighborhood. The Planning Commission recommended that the zoning not be changed. Mr. Stuart Long presented the request for zoning, stating this was in the best interest of this neighborhood and it would upgrade Peacock Lane. The substandard street was built up before it was in the City. One neighbor wanted to improve her property but could not get financing because of the rundown area of the neighborhood. "LR" Local Retail zoning is only 200' away. He described a 20' bluff between his tract and the Oakcrest subdivision with the Willingham Tract behind this tract and applying for apartments shortly. There is a wide piece of City Property for the new cross-town Barton Skyway. This zoning would improve Peacock Lane and help the other homes in the area.

It was noted a tract of land zoned residential was being used as a contractor's equipment yard. This use was to be checked out to see if it were a non-conforming use or illegal use.

Mayor Pro Tem Love took note that the application was for "C" Commercial and the Planning Commission had suggested "BB" Residence; however, when the amendment was made, the Commission unanimously turned the "BB" zoning down.

Mr. Sheldon Wilson, living on the bluff, stated he did not object to the apartment complex per se, but 10 units would ruin his property as a home site; and if this is granted, he would want to have his property changed also. At the hearing, he understood there would be four units; but now with 10 units, he was objecting. Mrs. Beatrice Lumis, 613 Peacock, expressed opposition based on the design of the street as it came off the hill, and the blind traffic. She could put up with the building, but it was the traffic.

Councilman Dryden moved the zoning be granted as requested from "A" Residence to "BB" Residence. The motion, seconded by Councilman Nichols, failed to carry by the following vote:

Ayes: Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love  
Noes: Councilmen Lebermann, Friedman, Handcox

It would have required six affirmative votes to override the recommendation of the Planning Commission.

#### ITEMS DELETED

The Council deleted the following items from the Agenda at this time:

1. Dedicating land as street right-of-way for East Riverside Drive Expressway.
2. Authorizing the City Manager to execute Rothell-Felts Agreement

#### LAKE ORDINANCE HEARING SET

Councilman Nichols moved the Council adopt a resolution setting a public hearing on the Lake Ordinance for May 25, 1972, at 11:30 A. M. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols  
Noes: None  
Not in Council Chamber when roll was called: Mayor Pro Tem Love

#### ITEM DELAYED

The Council delayed taking action on the item of vacating a portion of East Riverside Drive.

#### REQUEST TO VACATE

The Council postponed for two weeks consideration of Dr. Doyle Leslie's request to vacate Matthews Drive between Windsor Road and Scenic Drive.

## REQUEST FOR RENTAL OF PROPERTY

Councilman Dryden moved the Council deny the request of Mr. Duane Allen Davis to rent a portion of property at the Albert R. Davis Water Treatment Plant for the purpose of an art festival. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Mayor Butler, Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilman Lebermann  
Noes: None

## ITEM DELETED

The item of the appearance of Mrs. James Strain was not taken up as Mr. Strain was not present in the Council Chamber.

EXPANDED AREA AND FACILITIES  
BASEBALL PROGRAM

Mayor Butler announced this item, Mr. David Wetherford's request to discuss need of expanded area and facilities to continue children's baseball program, had been requested to be deleted at this time.

PUBLIC HEARING ON APPEAL FROM DECISION  
OF PLANNING COMMISSION GRANTING THE  
CITY OF AUSTIN WATER & WASTEWATER DE-  
PARTMENT A SPECIAL PERMIT FOR EXPANSION  
OF WALNUT CREEK TREATMENT PLANT

At 11:30 A. M. Mayor Butler opened the public hearing on an appeal from the decision of the Planning Commission in granting the City of Austin Water and Wastewater Department a special permit for the expansion of Walnut Creek Treatment Plant.

City Manager Davidson stated the first presentation would be by the Planning Director, Mr. Richard Lillie.

Mr. Lillie stated the Ordinance requires special permits to be submitted on several types of public uses, libraries, fire stations, electric water and sewer facilities. This is a request by the City to expand and improve the Walnut Creek Sewer Treatment Plant. The Application was made, site plans were submitted to City Departments with respect to review for safety of motor public, safety from fire hazards, protection of flood and water damage, noise producing elements, signs, street adequacy, parking adequacy, and such measures that will protect public health, safety, morals and public welfare.

Departmental comments received were to the effect that the planning complies with existing requirements. Mr. Lillie pointed out on a map the area under consideration stating the City owns 300 acres from 19th Street down to where the tracts come together between the two railroad tracts. In 1961, the Master Plan that was adopted in 1961 showed the 300 acres designated as industrial. Mr. Lillie pointed out on a map Craigwood, Cavalier Park, Imperial Valley sites, and the Tracor area which was changed from Residential to Industrial in 1963. In 1966, there was another application from Residential to Industrial south of the Tracor site to approximately the area, (extension of Tannehill). Also in 1966, developers applied for a change in the Master Plan from industrial back to residence on about 95 acres south of 19th and east of Ed Bluestein and this change was granted by the Council. In 1969, the east portion of that 95 acres

was requested to be changed back to industrial, and the Council approved this change. There was a pocket of residential that was left. The Master Plan calls for the location of a treatment plant to serve the Little and Big Walnut Creek Watersheds. The 1961 Capital Improvement Program called for acquisition of land for the plant, and the plant site was acquired in between 1962-64. The existing plant went into operation December of 1965.

Private development occurred in 1962 north of 19th and west of Ed Bluestein Boulevard. The first building permit was issued in August 1965, four months prior to the opening of the plant. Cavalier Park north of 19th Street was recorded in 1968 three years after the plant opened. The first permit was issued in February 1969. Craigwood was recorded in March 1969, four years after the plant opened, the first permit being issued in June 1969. Stoneridge is a new subdivision recorded in January 1972. Mr. Lillie stated this is the existing status of land use and Master Plan requirements and Capital Improvement Program requirements as related to this particular site.

Mr. Curtis Johnson, Director of Water and Wastewater pointed out on a map the proposed Crosstown Waste Water Interceptor and the route of flow west to east to the present Walnut Creek Treatment Plant site.

During the period of 1962 to 1964 when the approximately 300 acres of land were acquired at this site it was announced at that time there would be a major wastewater treatment plant at this site. In December, 1964, an interim type treatment plant was put into operation. With the Crosstown Wastewater Interceptor being implemented, the need for further development of the Walnut Creek Treatment Plant became necessary. At this time it would be necessary to be in an enlargement program for this plant whether or not the Crosstown Interceptor would be built; just from the needs in Little Walnut Creek and Walnut Creek area.

The engineering firms that have been retained to design these plant facilities have been instructed to incorporate the latest advances in treatment technology that might be adaptable to this particular situation, and to give architectural consideration to the appearance of structures. He briefly described the development, in that all structures would be low, relatively small with a minimum setback from 19th Street or F.M. 969 of 500 feet. The closest structure would be the main building or the administration building of the plant. The other structures would be grouped behind the administration building of the plant receiving the necessary architectural considerations and landscaping. It is felt that this plant with proper design and maintenance would not be objectionable. Mr. Johnson described the present plant.

The Crosstown Interceptor in this treatment plant would serve all of the areas of Austin that would be north of this location and not certain isolated areas as had been alleged. The treatment facility will be designed for a capacity of 18 million gallons a day with the estimated construction cost of about \$11,000,000. It will be attended 24 hours a day by operating personnel and technician with a complement of approximately 25 people.

The Plant site is within the 25 and 100-year flood plain; however, all structures to be constructed there will be at sufficient elevation to protect the facility from flooding even from a 100-year anticipated flood. This project has been subject to discussion of numerous public meetings in the past, not only before this Council, but before the Texas Water Quality Board, Capital Area Planning Council and the Environmental Protection Agency. Delays in the time table which have occurred recently are resulting in appreciable increases in project costs. It is estimated that construction costs are escalating at approximately

approximately 1% per month; hence, the granting of this special permit is of the essence.

Mr. Cleve Moten, Chairman of the Steering Committee of the Concerned Citizens for the Improvement of East Austin, stated if it were assumed that the Zoning Committee and Planning Commission were unbiased and objective in their hearing of their objections to this construction, they must conclude that the subsequent decisions must have been unduly swayed by the mountain of false information supplied by the City in its behalf. He stated the Planning Commission went ahead and voted to give the City the Special Permit to build this gigantic sewage plant in this community. He alleged the Commission refused to hear any statement from them, even after requesting and receiving additional testimony from the City. He asked that since the City had stated it intended all along to expand the present Walnut Creek facility into a larger sewer plant, why did the City approve residential development of the land in the immediate area. It has been stated that these residential communities exist now in an area which is predominately commercial-industrial, existing only on the City Master Plan which can be changed back and forth. He said the land on which the present Walnut Creek plant stands now is still zoned Interim "A" Residence for residences and duplexes. This group does not intend to oppose the present facility unless forced to do so, even though it apparently exists in flagrant violation of the laws of the State, Section 11.458 of the Texas Water Code which he then quoted. He had been unable to obtain evidence that the City had complied with this statute prior to constructing the present Walnut Creek facility.

The opposition is to the proposed facility to be erected at the same location as the first plant, as he stated there are more than 500 families whose lives, homes and property values will be directly effected if this sewage plant is put in the vicinity of this neighborhood. One thousand other families would suffer conditional effects. Families along Scottsdale farther west, south of East 19th, and in the Pecan Springs area will have the smell of foul stagnant air and sewage on damp mornings. They are also protesting the unwarranted intrusion of 131 million gallons of sewage daily into the lives of these people who will have to contend with the odors day and night.

Mayor Pro Tem Love inquired about the reference that there were homes in the vicinity predating 1965. Mr. Moten stated there were homes in Springdale Hills as early as 1963, and pointed out the location on the map. Councilman Dryden stated this was quite a distance away but Mr. Moten claimed it was about 1/2 mile from this plant.

Mayor Pro Tem Love called for a show of hands of residents of either Cavalier Park or Craigwood. There was a group from Northwest Hills also.

Councilman Handcox asked the status of the City in terms of the progress that has been made as to construction; or had any construction begun on this project. Mr. Curtis Johnson replied that no construction as such, speaking of the total related project, had been started. Plans had been completed on the Interceptor, preliminary plans had been completed on the plant facility, and the engineers are ready to start with final details and plans necessary for the construction of the facility. As to the Interceptor, Mr. Johnson reported the work had not actually begun, but it is programmed to start shortly.

Councilman Friedman asked about the statement included in the summary from the Planning Department that "it would run the City about 8.9 million dollars more to move the plant three miles east, to get it totally away from the residential areas. Mr. Johnson confirmed this, stating this estimate was made on an extension

of the tunnel to the east approximately three miles. This would be in the general proximity of Imperial Valley. The figure of 8.9 million dollars is probably on the low side. Councilman Friedman discussed funding such a move, asking if there would still be funds from the Federal government. Mr. Johnson stated on the grants the City would assume 45% of the cost. Councilman Friedman asked the Director of Planning, Mr. Lillie, if a study had been made of possible extensions toward the east to see if there were an area that would be devoid of residential areas. Mr. Johnson stated this basically was what they went through when this plant site was selected in late 1961 or early 1962, when it was finally nailed down prior to purchase of any of the property. This was selected as the most feasible site for the plant.

In discussing this building, Mr. Johnson stated there would be an administration building, office and some laboratory facilities. In addition there would be an additional building or two which would house blowers used in the aeration processes, all of which are anticipated to be of brick type construction.

Councilman Dryden said there were millions of dollars invested here, but this area of Austin is going to grow to the north and certainly to the west. These people have a buffer zone from the present plant to the Creek in Walnut Creek. He asked if there had not been any study made as to an alternate site east. Mr. Johnson said when the original site was purchased, all of these items were taken into consideration with the possibility of serving those drainage areas, Little and Big Walnut Creeks. They had not restudied the matter.

Councilman Handcox inquired about standards for odor-pollution and odor nuisance, and if there were any standards for measuring such. Mr. Johnson said he knew of no such standards, but he described what they plan to do to alleviate and to take care of one source of odor, by the ventilation system planned for the tunnel. To take care of the second source of odor, the sludge will be piped to the Hornsby Bend facilities. All of the excess sludge from both the Govalle and the Walnut Creek plants is planned to be processed at that 270 or 280 acre site. The entire acreage is used up by oxidation ponds.

City Manager Davidson stated one could not be too much more thorough than to have started planning for this more than 10 years ago and at that time the property was zoned industrial. The consulting engineers had recommended that this was where the initial plant and the ultimate plant should be located and it probably is not feasible to extend the tunnel or relocate this plant. Mr. Davidson stated with a different type process of treatment, with the assignment of technical personnel to man this plant 24 hours a day, and with proper architectural and landscaping treatment, it is the sincere belief this will be an improvement.

Mr. Thomas Philpott, teacher of Urban History at the University, stated the level of planning demonstrated here is in accord with traditional planning practice of the last 30 or 40 years, but it does not seem to be in accord with any kind of planning ethics. There had been no discussion of alternative sites to the north or to the west; nor discussion of alternatives of smaller sub-units scattered, which might in the long run save money as it would be easier to control pollution.

Miss Vickie Miller, student at the University, whose parents own a home in Northwest Hills, felt that there was an injustice to the people in the vicinity of this plant, and she did not understand why alternate solutions had not been looked into by the Council.

After everyone had an opportunity to be heard on this matter, Councilman Dryden moved to postpone any action on this request to review the action of the Planning Commission with respect to the special permit until some later date. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Friedman, Handcox, Dryden

Noes: None

Not in Council Chamber when Roll was called: Mayor Butler, Councilmen Nichols, Lebermann

Later in the afternoon, Mayor Butler announced that at the morning session, the Council had asked the City Manager to advise them the length of time it would require for the administration to complete the report on the Walnut Creek hearing, and the answer is three weeks. Councilman Nichols asked if the delay would effect the Federal funds in any way. Mr. Davidson stated any delay of this improvement would cost the City additional money, but it would not jeopardize the application.

Councilman Friedman moved the Council set a hearing for June 1, 1972, at 7:30 P. M., in the Council Chamber. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler

Noes: None

#### COMPLAINT

Mr. Carl Hinkle stated he was not involved in any of the demonstrations of the past week or even near. He asked a plain clothes man what was the purpose of the police activity in the area, as he was upset because there were so many police and so much tear gas. The man grabbed him and he was beaten up by from six to ten policemen, some beating him and some holding him. He was booked for blocking and loitering on public roadways, but he was on the sidewalk all the time. He had 25 stitches taken in his head from this beating.

City Manager Davidson asked Mr. Hinkle to contact the Police Chief's office and tell them that he wanted to discuss a problem that he had encountered with a policeman, and an officer would be assigned to hear the complaint. It would result in an investigation of what occurred. A report is sent to the City Manager's Office; and if necessary on to the City Council and to the Mayor; and in some cases to the Human Relations Commission. Mr. Davidson offered to call and tell the Police Department to expect the call so he could set up an appointment for an interview.

#### ZONINGS SET FOR HEARING JUNE 1, 1972

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on June 1, 1972:

MRS. F. O. REINKE  
By Ruben V. Soto  
C14-72-058

5214-5220 Jim Hogg Ave.

From "A" Residence  
First Height and Area  
and "C" Commercial  
Second Height and Area  
To "B" Residence Sec-  
ond Height and Area

JAMES W. BROWN &  
SHIRLEY M. BROWN  
By J. W. Campbell  
C14-72-071

1601-1603 W. 39th  $\frac{1}{2}$  St.

From "A" Residence  
And "B" Residence to  
"B" Residence

PAT CARLISLE  
By John Selman  
C14-72-072

3535-3613 Cima Serena

From "A" Residence  
to "BB" Residence

JOHN D. CARRUTHERS  
By Paul D. Jones  
C14-72-072

3701-3703 N. IH 35

From "C" Commercial  
To "C-2" Commercial

HUBERT L. CHILDRESS  
By John O. Raney  
C14-72-075

6905 Riverside Dr.

From "A" Residence to  
"C" Commercial

HYMAN & RUTH FRANKEL  
By Steve Harris  
C14-72-076

1606 West Avenue  
801-805 W. 17th St.

From "A" Residence  
To "O" Office

HYMAN & RUTH FRANKEL  
By Steve Harris  
C14-72-077

1601 Pearl St.  
808-814 W. 16th St.

From "A" Residence  
To "O" Office

JACOB BAUERLE  
C14-72-078

2001 South Lamar

From "C" Commercial  
Second Height and  
Area and "A" Resi-  
dence First Height and  
Area to "C" Commer-  
cial Second Height  
and Area

NELSON PUETT  
By B. T. Webb  
C14-72-079

8237 U. S. Hwy. 183

From Interim "A"  
Residence First Height  
and Area To "C-2"  
Commercial Second  
Height and Area

JOHN SCHOEDEL, JR.  
C14-72-081

407,409, 501 Swanee Dr.

From "A" Residence to  
"B" Residence

SIDNEY E. LANIER,  
MEREDITH McCANN &  
PATSY MONAHAN  
C14-72-082

4501-4505 Ave. D  
106-110 W. 45th St.

From "A" Residence  
To "B" Residence  
Second Height and Area

WALTER YATES  
By I. A. Sheffield  
C14-72-084

2104 Cullen Ave.  
Rear of 2106-2118  
Cullen Avenue

From "A" Residence  
First Height and Area  
And "GR" General Re-  
tail Sixth Height and  
Area to "B" Residence  
Second Height and Area

## CITY OF AUSTIN, TEXAS

HENRY WENDLANDT, JR.  
& E. E. NAUMANN  
C14-72-084

200-210 W. Ben White

From "A" Residence  
To "GR" General Retail

GIL STROMQUIST  
C14-72-085

5500 So. Congress Ave.  
201-213 Red Bird Ln.

From Interim "A" Res-  
idence First Height  
and Area To "C" Com-  
mercial First Height  
and Area - Tract 1  
"C-2" Commercial -  
Tract 2

GRADY HAZELWOOD  
By Doren Eskew  
C14-72-086

510-602 St. John's Ave.  
7307-7325 Duval St.

From "C" Commercial  
First Height and Area  
To "C" Commercial  
Third Height and Area

THE HILLCREST  
BAPTIST CHURCH  
By Doren Eskew  
C14-72-087

2800-2806 Robinson Ave.  
1105-1111 E. 29th St.

From "A" Residence  
First Height and Area  
and "A" Residence  
Fifth Height and Area  
To "B" Residence Sec-  
ond Height and Area

T. B. GUNTER  
C14-72-088

2001 Anderson Lane

From "O" Office to  
"GR" General Retail

CINCO INVESTMENTS  
By Kirk E. Williamson  
C14-72-089

1501-1503 Kinney Ave.

From "A" Residence  
First Height and Area  
To "B" Residence Sec-  
ond Height and Area

LEROY LANGE  
By John Selman  
C14-72-091

8401-8403 Bowling Green  
2201 Doris Dr.

From "A" Residence to  
"B" Residence

COMMUNITY REALTY, LTD.  
By Robert Sneed  
C14-72-091

1148 Airport Blvd.

From "C" Commercial  
Sixth Height and Area  
To "C-2" Commercial  
Sixth Height and Area

BRUNO MILBURN  
By Thomas T. Smith  
C14-72-092

4312-4314 Marathon

From "A" Residence to  
"O" Office

BARRY GILLINGWATER  
By Robert Davis  
C14-72-093

10000 West Ave.  
800-804 West 10th St.

From "B" Residence  
Second Height and Area  
To "O" Office Second  
Height and Area

V. E. GROVE, JR.  
By V. E. Grove  
C14-72-094

400-404 Kemp St.

From "A" Residence  
To "MH" Mobile Home

MR. & MRS. L. W. CARROLL (By Cecil Nobles)  
C14-72-095

4409-4413 Merle Dr.

From "A" Residence to  
"O" Office

C. L. REEVES  
C14-72-096

2225-2257 Riverside  
1800-1856 Willow Creek  
Drive

From Interim "A"  
Residence First  
Height and Area to  
"LR" Local Retail  
First Height and Area  
Tract 1, "GR" General  
Retail First Height  
and Area - Tract 2

STEPHEN J. PYLE III  
By Howell Finch  
C14-72-097

1500-1510 W. 38th St.

From "B" Residence  
Second Height and Area  
To "O" Office Second  
Height and Area

C. C. COOK  
By Ken Kreitner  
C14-72-098

Southwest corner of E.  
51st and Pecan Springs Rd.

From "A" Residence  
To "B" Residence

T. A. RAMEY  
By Roger A. Hanks  
C14-72-099

4204 Manchaca Rd.

From "A" Residence  
To "LR" Local Retail

T. F. ATTEBURY,  
GEORGE F. MILLER &  
ERNIE L. MILLER  
By John Selman  
C14-72-100

2808, 2900 and 2902  
South First Street

From "A" Residence  
First Height and Area  
To "C" Commercial  
First Height and Area  
to a depth of 150 feet  
"B" Residence Second  
Height and Area for  
the remainder

Planned Unit Developments:

R. L. SMITHERS,  
W. R. COLEMAN &  
LARRY NIEMANN  
C814-72-03

West 35th St. on the  
north  
Pecos Street on the west  
Maywood St. on the south

A Planned Unit Develop-  
ment with ten two  
bedroom units and  
forty three bedroom  
units with pool and  
gazebo

WALTER R. CARRINGTON  
C814-72-05

Fort Clark Drive and  
Spanish Bluff Drive

Attached single family  
dwelling units, with  
common recreational  
facilities and com-  
mon open space.

WALTER R. CARRINGTON  
C814-72-06

South Congress Ave.  
Ramble Lane  
Baywood Street and  
Williamson Creek

Attached single family  
dwelling units with  
common recreational  
facilities with com-  
mon open space.

ADJOURNMENT

The meeting was adjourned.

APPROVED: \_\_\_\_\_

*Ray Butler*  
Mayor

ATTEST: \_\_\_\_\_

City Clerk