

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 4, 1973
10:00 A. M.

COUNCIL CHAMBERS, CITY HALL

The meeting was called to order with Mayor Pro Tem Love presiding. It was noted that Mayor Butler and Councilman Nichols would enter the meeting late.

Roll Call:

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

The Invocation was delivered by DR. JOHN BARCLAY, Retired Christian Minister.

APPROVAL OF MINUTES

Councilman Handcox moved the Council approve the Minutes of the Regular Meeting of December 7, 1972. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

PROCLAMATIONS

Councilman Handcox read a proclamation designating January 1-8 as "BIG BROTHER WEEK", and called upon all citizens to support the work of this group. The resolution was presented to Mr. Jimmy Outten, Mr. Forest D. Cook, and Mr. Boyce Hornburg.

Councilman Friedman read the proclamation designating January 1973 as "VOLUNTEER BLOOD DONOR MONTH", calling on citizens and public officials and others to participate. The document was signed by the Mayor and all members of the Council, and was presented to Dr. Douglas W. Terry, Mr. John N. Kemp, and Mr. William A. Teague.

Mayor Butler and Councilman Nichols entered the meeting at this point.

APPOINTMENTS

Mayor Butler made the following appointments to the Community Action Board:

Rev. Horace J. Carrington	Mr. LaSalle Barnett
Mr. Robert E. Anderson	Mr. David W. Samuelson
Mrs. Julian R. Wyatt	Rev. F. A. Bragg
Mrs. Leroy McDonald	Mr. Phillip Grimley
Mrs. Hope Olvera	

The Mayor announced the following appointments to the Citizens Board of Natural Resources and Environmental Quality:

Mrs. Jean Bringol	Mr. Leslie L. Gage
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SALE OF STRUCTURES

Councilman Nichols moved the Council adopt a resolution approving the sale of structures in the Blackshear Neighborhood Development Project Area, No. Tex. A-11-2, as follows:

Parcel No. 9-4	1107 Rector	Ygnacio Espinoza	\$250.00
Minimum Acceptable Sales Price:			\$250.00

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

CONTRACTS AWARDED

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

THE WHALE (Austin, Texas)	- Police Uniform Clothing Supply Agreement - \$51,000.00.
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

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

MAINTENANCE ENGINEERING CORPORATION (Houston, Texas)	- Anthracite Filter Material Supply Agreement, 275 tons - \$11,407.00.
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

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

Traffic Control Equipment:

SIGNAL ENGINEERING COMPANY (Houston, Texas)	- Items 9 and 10 - \$41,184.00.
TECHLINE, INC. (Austin, Texas)	- Items 14, 51 and 16 - \$37,367.44.
EAGLE SIGNAL CO. (Ft. Worth, Texas)	- Items 3, 6, and 7 and 12 - \$19,316.50
AUTOMATIC SIGNAL CO. (Ft. Worth, Texas)	- Item 8 - \$11,450.00.
SINGER TRAFFIC CONTROL (Dallas, Texas)	- Item 13 - \$7,552.80.
ECONOLITE DIVISION (Ft. Worth, Texas)	- Item 5 - \$175.50.

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

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

MILLER CONCRETE COMPANY (Austin, Texas)	- Construction of Retaining Wall at Sprinkle Substation - \$25,990.00. (Capital Impro- vements Program Project No. 3523 1).
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

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

HOUSE-BRASWELL CO. (San Antonio, Texas)	- For Hancock Drive Overpass Sidewalk Widen- ing at MoPac Boulevard, Contract No. 72- X-142 - \$7,784.12. (Capital Improvements Program Project No. 7504 5).
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

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

HOUSE-BRASWELL CO.
(San Antonio, Texas)

- For construction of street and drainage improvements in Salem Hill Drive from approximately 120' north of Radam Circle to approximately 280' north of Radam Circle, Contract No. 72-Cb-143 - \$37,809.09
Capital Improvements Project No. 5-3522 1)

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

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

J. C. CONSTRUCTION CO.
(Austin, Texas)

- Construction of the South Austin Recreation Center - Base bid plus Alternates 3a and 4- \$392,100.00. (Capital Improvements Program Project No. 8642 0).

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Councilman Nichols moved the Council reject the bids on Items 1 and 2 of the Traffic Control Equipment. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

EASEMENTS RELEASED

Councilman Nichols moved the Council adopt a resolution authorizing the release of the following easement:

A public utilities easement out of Lot 18-A, ENFIELD
H SOUTH EXTENSION.

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

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

Councilman Nichols moved the Council adopt a resolution authorizing the release of the following easements:

The west four (4.00) feet of the drainage easement
dedicated across Tract A of PYLE'S POINT SUBDIVISION.

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

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

Councilman Nichols moved the Council adopt a resolution authorizing the release of the following easement:

An existing drainage easement and an existing drainage
and public utilities easement out of Lot 2-A, Block A,
SECOND RESUBDIVISION of WOOTEN VILLAGE, SECTION EIGHT.

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

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

CONTRACTS ACCEPTED

Councilman Nichols moved the Council adopt a resolution accepting contracts from the following public service agencies for services rendered the City of Austin:

Austin Association for Retarded Children(Operation Sunshine)	\$ 8,500
Austin Child Guidance Center	41,136
Youth Emergency Service, Inc.	3,000
Austin Cerebral Palsy Center	12,500

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

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

PROFESSIONAL CONSULTANTS

Councilman Handcox moved the Council adopt a resolution selecting FREEZE & NICHOLS as the professional consultant to provide engineering services in connection with the following 1973 Capital Improvements Program Project:

Boggy Creek Wastewater Interceptor and Lift Station
Jain Lane easterly to Ed Bluestein Boulevard (Lift Station)
with Force Main to Govalle Wastewater Treatment Plant -
Project No. 5069 0.

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

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

SELECTION OF INVESTIGATION & TESTING SERVICES

Councilman Nichols moved the Council select Soils Investigations and Engineering Testing Services in connection with Public Works Projects as follows:

1973 Yearly Soils Investigations and Engineering Services
for Subdivisions and Voluntary Paving Projects.

Soils Testing	- Trinity Engineering Testing
Estimated Fees	Corporation, F. G. Bryant
\$3,000	
Densities for Base	- Trinity Testing Laboratories, Inc.
Courses and Subgrades	
Estimated Fee	
\$8,500	
Concrete Materials	- Snowden and Meyer, Inc.
Testing - \$5,000	
Bituminous Materials	- Trinity Engineering Testing
Testing - \$8,500	Corporation

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

AUTHORIZATION TO INSTALL TUNNEL

Councilman Nichols moved the Council adopt a resolution authorizing the University of Texas System to install a utility tunnel (Three feet by four feet) beneath Guadalupe Street to connect property at 2500 Guadalupe with Communications Building on the east side of Guadalupe with the understanding that this specifically excludes electric conduits. 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

APPLICATION FOR GRANT

Councilman Nichols moved the Council adopt a resolution authorizing the City of Austin to apply for a grant from the Department of Health, Education, and Welfare for general program support for the Brackenridge Hospital School of Nursing. The total grant amount is \$39,050. 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

MODEL CITIES PROPOSALS

Councilman Nichols moved the Council adopt a resolution authorizing the following:

The Model Cities Department to renew the contract for a Federal Grant through the Texas Department of Public Welfare to aid in financing the Nutrition Education Project #22100. The total cost of this project is \$101,411 - Model Cities share is \$30,706; Department of Public Welfare share is \$70,705.

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

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

Councilman Nichols moved the Council adopt a resolution authorizing the following:

Model Cities Department to renew the contract for operation of the Nutrition Education Project #22100 with the Austin Travis County Health Department. The total cost of this project is \$101,411 - Model Cities share is \$30,706.

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

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

Councilman Nichols moved the Council adopt a resolution authorizing the following:

Model Cities Department to contract with the Mental Health-Mental Retardation Agency for Drug Abuse Treatment Project \$21602. The total cost of this project is \$37,767 - Model Cities share is \$36,075.

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

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

ORDINANCE AMENDED

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 720927-A TO APPROPRIATE UNAPPROPRIATED FUNDS FOR CERTAIN PURPOSES; 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, Councilmen Lebermann, Friedman
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 720927-A TO REVISE ACCOUNT NO. 00721010 - POLICE - LAW ENFORCEMENT; 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, Councilmen Lebermann, Friedman
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCES

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:

(1) TRACT ONE, MORGAN CORNER SUBDIVISION, LOCALLY KNOWN AS 200-210 WEST BEN WHITE BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND,

(2) LOT 3-A, NORTHEAST TERRACE SUBDIVISION, LOCALLY KNOWN AS 1819-1919 U. S. HIGHWAY 290, FROM "C" COMMERCIAL DISTRICT, "GR" GENERAL RETAIL DISTRICT, AND "A" RESIDENCE DISTRICT TO "C" COMMERCIAL 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 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 Lebermann, carried by the following vote:

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Dryden

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 2, WILLOW CREEK, SECTION 4, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT; AND, LOT 3, WILLOW CREEK, SECTION 4, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, 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 Councilman Lebermann, carried by the following vote:

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Dryden

The Mayor announced that the ordinance had been finally passed.

PARADE PERMITS

Councilman Nichols moved the Council grant the request of Col. Ervin C. Herber for a parade permit for the Boy Scouts of America, Capitol Area Council, on February 10, 1973, from 10:00 A. M. to 10:50 A. M. to proceed northward on Congress Avenue from 2nd and Congress to 11th and Congress dispersing in the Capitol Grounds. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

Councilman Nichols moved the Council grant the request of Mr. Frank Fisher for a parade permit for the Governor's Inaugural Parade on January 16, 1973 from 2:30 P. M. until 5:30 P. M. from 2nd Street north on Congress Avenue to the Capitol Grounds. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

POLICY - VACATING STREETS & ALLEYS

The Council had before it a public hearing on vacating the following streets and alleys:

All of SABINE STREET between East 10th Street and East 11th Street.

WEST 33RD STREET ALLEY from a line 2.5 feet east of the east line of Bailey Lane, easterly to a line 16.50 feet west of the west line of Wabash Avenue.

An UNNAMED STREET described in an instrument recorded in Volume 113 at Page 635 of the Deed Records of Travis County, Texas.
(Subdivided into CREEK BEND SECTION 4).

The City Attorney stated that the charge for vacating Sabine Street between East 10th and East 11th was at the Council's discretion, as this had been heard before and turned down, and this was a new application. Gateway Properties, Ltd. had tendered an amount of \$19,044 as their share of the purchase price. The Council had agreed to vacate this street and the amount of money was under consideration at this time. Councilman Nichols suggested that at least two appraisals should be obtained on all of these parcels. The purchase price should be obtained on all of these parcels. The purchase price should be made on the basis of market value and not assessed value. The City Manager said this was a good thing to be considered and he would bring back a recommended policy.

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF SABINE STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 Friedman, 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 ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN PORTION OF WEST 33RD STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING ANY AND ALL EASEMENTS IN THE CITY; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE 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 Friedman, 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 ordinance had been finally passed.

Mayor Butler introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THAT CERTAIN
PORTION OF AN UNNAMED STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS;
RETAINING ANY AND ALL EASEMENTS IN THE CITY; SUSPENDING THE RULE REQUIRING
THE READING OF AN ORDINANCE 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 Friedman, 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 ordinance had been finally passed.

HOMESTEAD EXEMPTION FOR SENIOR CITIZENS

Mayor Butler introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 32 OF THE AUSTIN CITY CODE OF 1967, BY ENACTING ARTICLE VII THEREOF, ENTITLED "RESIDENCE HOMESTEAD EXEMPTION FOR THE ELDERLY"; PROVIDING FOR SUCH EXEMPTION, EFFECTIVE DATE, APPLICATION FOR EXEMPTION, DETERMINATION OF TAX ASSESSOR-COLLECTOR, LIMITATIONS OF EXEMPTION AND DETERMINATIVE DATE FOR EXEMPTION; 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: Councilman Handcox, Mayor Butler, Councilmen Dryden, Nichols,
Mayor Pro Tem Love, Councilmen Lebermann, Friedman
Noes: None

The Mayor announced that the ordinance had been finally passed.

PETITION ON STREET VENDORS

Mr. Jeff Jones came before the Council to discuss the Street Vendors' petition for a referendum regarding selling on the Drag. He asked, if the referendum passed, would the \$10.00 license fee now required be refunded. He was assured by Mayor Butler that it would be. Mr. Jones questioned enforcement throughout the City, and was told that the Building Official would enforce some segments of the ordinance. The City Attorney asked about the form of the petition as to whether it had a caption, and mentioned that the petition as now circulated

was probably an initiative rather than a referendum. Mr. Jones agreed to furnish the City Attorney a copy of the petition. There was some discussion as to whether there might be alternatives offered to the voters. The City Manager, Mr. Davidson, noted that the Renaissance Market at 23rd Street was progressing, tree wells had been constructed, trees had been planted, and the sidewalks completed.

PARKS & RECREATION BOARD RECOMMENDATIONS

Mayor Pro Tem Love moved the Council authorize the installation of playground equipment at Wooldridge Elementary School utilizing funds in the 1972-73 operating budget. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The second item was the proposal to purchase park land along Onion Creek, which land has been suggested to be used as a park by a developer. The Council took this under advisement.

The third item was recommended by the Parks and Recreation Board that the City Council attempt to acquire a neighborhood park site within land now utilized as Municipal Golf Course when and if the University of Texas should utilize that land for another purpose. This was also taken under advisement.

BUILDING STANDARDS FOR SOUND-DEADENING

Councilman Friedman brought an item to the Council, regarding the types of materials used for sound-deadening placed in apartments. He asked, with the Council's approval, that the Building Official, Mr. Dick Jordan, in conjunction with the Fire Department, bring back a report as to what new standards might be needed to protect apartment dwellers in the City, and submit this to the Board of Building Materials.

EMERGENCY FUEL OIL PURCHASES

Councilman Nichols moved the Council approve the purchase of emergency fuel oil from Tesoro Petroleum Company, 750,000 gallons, # 5 Fuel Oil at 12.71 cents per gallon; and 500,000 gallons # 2 Fuel Oil at 13.98 cents; and from Brazoria Oil Company 500,000 #2 Fuel oil at 15 cents. These bids were taken by telephone. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

COMMENDATION - ACTIONS DURING HOLIDAY TRAGEDY

Councilman Nichols recommended a resolution be drawn up thanking the many officers and people in many departments of the City of Austin who volunteered their efforts for the Memorial Service for the many outstanding youngsters killed in a holiday traffic tragedy on December 26, 1972.

SALE OF HOUSES

Councilman Nichols moved the Council adopt a resolution authorizing the sale of houses as follows:

Accept positive bid - house to be demolished:

KENNETH L. GORBET	2404 South 4th Street	\$25.00
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The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

Councilman Nichols moved the Council adopt a resolution authorizing the sale of houses as follows:

Accept negative bids - houses to be demolished:

AUGUST HEYER	2803 East 17th Street	\$50.00
SOUTHWEST RATHGEBER	1906 East 18th Street	\$169.99

The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

Noes: None

NEW AMBULANCE

Mayor Butler announced there is a new ambulance to be placed in service by the Austin Ambulance Service on display on the lot. He invited everyone to take a look at this new ambulance, as it is the latest type of service, equipment and efficiency.

ZONING HEARINGS

At 10:00 A. M., Mayor Pro Tem Love announced that the Council would hear the zoning cases scheduled for that time.

JOHN T. JONES	2231-2433 Ed Bluestein	From "A" Residence
President Vara	Boulevard	First Height and Area
Corporation	7622-7630 U. S. Hwy.290	To "GR" General Retail
CL4-72-211		Second Height and Area
		RECOMMENDED by the Plan-
		ning Commission.

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

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

Noes: None

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

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

W. W. BURT,
ET UX
C14-72-272

6501 Riverside Drive

From "A" Residence
To "GR" General Retail
As amended RECOMMENDED
by Planning Commission
as amended

Councilman Handcox moved the Council grant the change from "A" Residence to "GR" General Retail as amended as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

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

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

O. I. SAULS, ET UX
C14-72-274

Tract 1
4106 Marathon Boulevard

From "A" Residence
To "O" Office
RECOMMENDED by the Plan-
ning Commission

CARL LARRY
TEMPLETON, ET UX
By Barbara Holman

Tract 2
4108 Marathon Boulevard

Councilman Handcox moved the Council grant the change from "A" Residence to "O" Office as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes; None

Not in Council Chamber when Roll was called: Councilman Dryden, Mayor
Butler, Councilman Nichols

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

CAMERON ROAD
CHURCH OF CHIRST
Jeryl D. Hart, Trustee
By Dale Johnson
& B. J. Burnette
C14-72-278

6012-6022 Cameron Road

From "A" Residence &
"GR" General Retail
To "GR" General Retail
RECOMMENDED by Planning
Commission

Councilman Handcox moved the Council grant the change from "A" Residence & "GR" General Retail to "GR" General Retail as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

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

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

ROBERT L. OGDEN
ET UX
C14-72-286

1602 West 5th Street

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

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

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

Noes: None

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

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

MAHONEY PROPERTY
By Steve Price
C14-72-290

2923 Guadalupe

From "C" Commercial
Second Height and Area
To "C-2" Commercial
Second Height and Area
RECOMMENDED by Planning
Commission

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

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

Noes: None

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

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

NINETEENTH AND
SAN ANTONIO CORP.
By William Bingham
C14-72-294

1911-1913 San Antonio
Street

From "B" Residence
Second Height and Area
To "LR" Local Retail
Second Height and Area
RECOMMENDED by Planning
Commission

Councilman Handcox moved the Council grant the change from "B" Residence Second Height and Area to "LR" Local Retail Second Height and Area as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

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

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

ST. JUDES OF AUSTIN
Rev. Louis J. Reicher,
Trust
By Tom Curtis
C14-72-296

4708-4800 So. 1st St.

From "A" Residence
To "Q" Office
RECOMMENDED by the Plan-
ning Commission

Councilman Friedman moved the Council grant the change from "A" Residence to "Q" Office as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

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

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

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

DAVID D. SHANKS
By C. Dean Davis
C14-72-273

1105 W. 12th St.
& Castle Court

From "B" Residence
Second Height and Area
To "Q" Office Second
Height and Area
RECOMMENDED by Planning
Commission subject to a
restriction for office
use only, and 5' right
of way on W. 12th St.

Councilman Handcox moved the Council grant the change from "B" Residence Second Height and Area to "Q" Office Second Height and Area as recommended by the Planning Commission subject to a restriction for office use only, and 5' right of way on W. 12th Street. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

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

RUTH M. MALONE
By Virgil Waggoner
C14-72-281

502 W. 35th St.

From "A" Residence
First Height and Area
To "B" Residence
Second Height and Area
RECOMMENDED by Planning
Commission subject to 5'
right of way on W. 35th.

Councilman Handcox moved the Council grant the change from "A" Residence
First Height and Area to "B" Residence Second Height and Area as recommended by
the Planning Commission subject to 5' right of way on W. 35th Street. The motion,
seconded by Councilman Friedman, carried by the following vote:

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

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

DAN COVERT, ET UX
By Fred W. Poe
C14-72-288

4317-4331 So. I. H. 35

From "A" Residence
To "GR" General Retail
RECOMMENDED by Planning
Commission subject to a
subdivision of the
property.

Councilman Handcox moved the Council grant the change from "A" Residence to
"GR" General Retail as recommended by the Planning Commission subject to a sub-
division of the property. The motion, seconded by Councilman Friedman, carried
by the following vote:

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

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

DON P. WOODY
By Steve Harris
C14-72-282

2401-2415 Parker Ln.

From "A" Residence
To "BB" Residence
RECOMMENDED subject
to subdivision of the
site plan as submitted
by the applicant, no
access to Parker from
the subject tract and
development of structure
to face eastward.

Mrs. Pat Brown's concern was the layout of the duplexes which would back up to their back yards; and as they looked up their streets, they would see the backs of the duplexes, clothes lines, garbage containers, etc. Any fencing would have to be 12 feet high in order to hide the backs of the duplexes.

Mr. Lillie, Director of Planning, stated since this tract adjoins the tract already zoned for apartments, and the two tracts could be used as one development, that type of development would require a special permit with notices being sent to all adjoining property owners. After considerable discussion, and Mrs. Brown's stating if proper fencing or shrubbery is provided and these provisions attached to the special permit with a chance to appeal the permit; this would be acceptable.

Councilman Handcox moved the Council approve the zoning request subject to the contingencies: From "A" Residence to "BB" Residence as recommended by the Planning Commission subject to a subdivision of the site plan as submitted by the applicant, no access to Parker Lane from the subject tract and the development of the structures to face eastward. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

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

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

EDMUND J. FLEMING
DR. A. J. RODRIGUEZ
By Larry Niemann
C14-72-285

4014 Medical Parkway

From "A" Residence
To "O" Office RECOMMEND-
ED by Planning Commission
subject to a subdivision
and right of way on
Medical Parkway to be
determined by the Public
Works Department and a
5' sidewalk easement on
Medical Prkwy.

The Director of Planning stated he would recommend a revision of the conditions set out, in that a subdivision was not required. The recommendation should read "subject to 5' right of way on Medical Parkway."

Councilman Handcox moved the Council grant the change from "A" Residence to

to "O" Office as recommended by the Planning Commission subject to a 5' right of way on Medical Parkway. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

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

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

WALTER R. HOPKINS,
ET UX
C14-72-280

5705 Woodrow Avenue

From "A" Residence
To "O" Office NOT
Recommended RECOMMENDED
by Planning Commission
"B" Residence First Height and Area

It was pointed out that six votes were necessary to override the recommendation of the Planning Commission; but only four votes to grant "B".

Mr. Walter Hopkins purchased the property as the right of way was adequate and previous zoning had left him between "O" Office and "C" Commercial. The only logical zoning would be "O". The brick structure would easily be changed to a nice office building. The Planning Director pointed out that the map is incorrect and there is no "O" Office on this street except at the Koenig Lane intersection. Mr. Hopkins said he was completely unaware of this error as the zoning was a bid decision in his having purchased the property. Mr. Hopkins stated this area was no longer a residential area, due to terrain and a bowling alley.

Mayor Pro Tem Love moved the Council grant the requested "O" Office. The motion, seconded by Councilman Nichols, failed to carry by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Nichols, Handcox

Noes: Councilmen Lebermann, Friedman, Mayor Butler, Councilman Dryden

Councilman Nichols moved the Council grant the change from "A" Residence to "B" Residence First Height and Area. 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

Noes: Councilman Handcox

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

JOHN JOSEPH
JESSE J. BARTLETT
By John H. Akin
C14-72-253

Rear of 1318-1412 E. 51st
St.
Rear of 1416-1418 E. 51st
St.
1414 E. 51st St.

From "A" Residence
To "B" Residence (as
amended) NOT Recommended
RECOMMENDED by Planning
Commission "BB" Residence
subject to subdivision, proper

C14-73-253(Continued)

termination of 52nd St.
and requiring access to
51st St.

The Director of Planning pointed out several problems - (1) the proximity of the Airport - possibly requiring airport zoning restrictions as to the height; (2) There is a creek running through the tract; (3) Limited access to the tract from 52nd Street; (4) The Planning Commission has required access from 51st Street. This application perhaps would require a special permit.

If "B" Residence were granted and the special permit limited the units to 160, that would be satisfactory zoning.

Councilman Nichols moved the Council approve the zoning from "A" Residence to "BB" Residence as recommended by the Planning Commission subject to subdivision proper termination of 52nd Street and requiring access to 51st Street and limiting the number of units to 160. The motion, seconded by Councilman Dryden, carried by the following vote:

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Friedman

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

CHARLES VILLASENOR
ET UX
C14-72-297

1702-1704 Montopolis
Drive

From "A" Residence
To "GR" General Retail
RECOMMENDED by Planning
Commission subject to a
6' privacy fence on
west boundary.

Councilman Friedman moved the Council grant the change from "A" Residence to "GR" General Retail as recommended by the Planning Commission subject to a 6' privacy fence on the west boundary. 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, and the City Attorney was instructed to draw the necessary ordinance to cover.

CLYDE COPUS
C814-72-013

Coronado Hills Dr.
and Holmes Dr.

PLANNED UNIT DEVELOPMENT
with 14 building units,
containing 4 units each,
plus a park area.
RECOMMENDED subject to
departmental require-
ments.

Councilman Nichols moved the Council grant the Planned Unit Development subject to departmental restrictions as recommended by the Planning Commission. 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

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

CLARK-FRATES CORP.
By Newell E.
Boughton, Jr.

Mesa Drive and Myrick Dr.

PLANNED UNIT DEVELOPMENT
with 155 units and
amenities (Northwest
Mesa) RECOMMENDED
subject to department
requirements as on file
with the Planning Depart-
ment.

Mayor Pro Tem Love moved the Council grant the zoning for a Planned Unit Development with 155 units and amenities (Northwest Mesa) as recommended by the Planning Commission subject to departmental requirements as on file with the Planning Department. 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

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

KAY FEARS
MURCHISON TRUST
By Steve Harris
C14-72-276

3509-3601 Lawton Ave.
3605-2607 Lawton Ave.

From "A" Residence
To "LR" Local Retail
NOT Recommended
RECOMMENDED by Planning
Commission "O" Office
subject to a density
limitations of "BB"
Residence zoning.

Councilman Dryden moved the Council grant the change from "A" Residence to "O" Office as recommended by the Planning Commission subject to a density limitation of "BB" Residence zoning. 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.

CITY OF AUSTIN, TEXAS

ELI GARZA
C14-72-279

5818-5920 So. Congress
Avenue

From Interim "A" Residence First Height and Area
To Tract 1: "C" Commercial First Height and Area
Tract 2: "B" Residence First Height and Area
NOT Recommended
RECOMMENDED by Planning Commission: "GR" General Retail First Height and Area on all of Tract 1 except the north 25' to be "B" Residence First Height and Area and "B" Residence First Height and Area on Tract 2, subject to the necessary right of way for the extension of Flournoy Dr to Congress Ave. & 6' privacy fence on the north & west boundary lines abutting residential property.

It was pointed out that the applicant was opposed to providing the necessary 30' of right of way for the extension of Flournoy Drive.

Councilman Nichols moved the Council grant the change from Interim "A" Residence First Height and Area to "GR" General Retail First Height and Area on all of Tract 1 except the north 25' to be "B" Residence First Height and Area and "B" Residence First Height and Area on Tract 2, subject to the necessary right of way for the extension of Flournoy Drive to Congress Avenue and a 6' privacy fence on the north & west boundary lines abutting residential property, as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Dryden

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

DR. & MRS. ROGER
BOLTON
By John Lewis
C14-72-262

3601-3603 Manchaca Rd.
3504-3506 Fleetwood Dr.

From "A" Residence
To "B" Residence NOT
Recommended - RECOMMENDED
by Planning Commission:
"BB" Residence with the
retention of "A" for a
duplex lot on the east
boundary line and a 6'
privacy fence on the
north boundary line.

Mr. Lillie, Director of Planning, stated this case might require a special permit. The neighbors were concerned about a fence on the north property line, and a building setback on the south property line. Mr. Lillie reviewed the petitions - one with 45.8%; then a second petition which became invalid as only 11 signatures were received due to many having withdrawn their names from the petition. Opposition was expressed by Mr. Gary Brown.

After discussion, Councilman Nichols moved the Council grant the change from "A" Residence to "BB" Residence with the retention of "A" Residence First Height and Area for a duplex lot on the east boundary line and a 6' privacy fence on the north boundary line and a setback provision of 15 feet from the north boundary line as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

MIKE WILLIAMS
ESTATE
By A. J. Archuleta
C14-72-293

9226 Jollyville Road

From Interim "A" Residence First Height and Area
To "BB" Residence Second Height and Area on 325' adjacent to U. S. 183;
"BB" Residence First Height and Area on the remainder except for "A" Residence First Height and Area on the 50' strip on the southwest boundary (as amended) RECOMMENDED by Planning Commission as amended subject to a subdivision and a 6' privacy fence on the southwest boundary line.

Mr. Dick Lillie, Director of Planning, stated the tract is on Old U. S. 183 in Northwest Austin, west of Balcones and just off Mesa Drive. He pointed out tracts in the U. S. 183-Mesa Drive area which had been rezoned to "GR". The neighborhood was concerned about only a 5' setback of the property line. The recommendation of the Commission provides for a 50' setback off of the rear property line as far as buildings are concerned. The rear part of the tract would be First Height and Area, with one, two or three stories in height. The zoning has been recommended.

Dr. Gernald Hazelton expressed opposition, stating this was a planning problem. He pointed out the need for a normal transition. Apartments should not be allowed right behind houses that cost from \$50,000 to \$75,000 and that is what they have in this case. The area should not have been planned that way. He stated the homeowners were having to monitor every transition. Dr. Hazelton had

petitions signed by 76 residents of the area, not only objecting to the zoning change, but specifically objecting to the large area of land which is unplanned and subject to continual change. Dr. Hazelton read the petition in part as follows:

"We the undersigned concerned residents of Point West of Westover Hills and the Great Hills subdivision are concerned over the possibility of having open land areas presently zoned Interim "A" bordering residential developments, changed to other residential zoning except for the specific purpose of park land. We strongly support further provisions to either suitable buffer zones, gradual zoning changes, and structural designs that blend with the residential neighborhood. This should become an automatic part of the future planning and should not require the constant concern and attention of the single family resident citizens."

Dr. Hazelton said that the subdivisions should meet the requirements of the Master Plan in that subdivision boundaries would normally go to the major thoroughfares or to topographical boundaries. Councilman Friedman stated the City is in the middle of a Master Plan revision, and situations like this it would be hoped would be eliminated in the future.

Dr. Hazelton offered three options: (1) approve the 50' easement; (2) reject this plan and the zoning change until the use is determined for the entire area or at least when a study is made as to what is going to be allowed in the area; (3) reject the zoning outright and leave it up to the people who own that property to come up with a plan which would protect the rights of property owners adjacent to it. Mayor Butler explained the effects this theory would have; in that areas would be frozen. Dr. Hazelton stated he made this case because this sort of thing is going to happen again and again in this area; and he hoped the new Master Plan would try to solve this kind of problem. Particularly, he did not believe the 50' buffer between a \$51,000 house and a three-story apartment is enough.

Mr. Lillie reported the amended application is a better application for the neighborhood than the first request. This development would come under a special permit since it is an apartment dwelling group. It would be heard by the Committee, the Commission, and on appeal to the Council if desired. Councilman Lebermann asked if it would be possible to limit the back half of the lot as the subject property; and get the first height and under the recommendation of the Commission, and limit the development to two stories.

Councilman Nichols moved the Council grant the zoning subject to the contingencies with one exception and that is the area which entered "First Height and Area" shall be limited to structures no more than two stories high. The motion, seconded by Councilman Lebermann, carried by the following vote:

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

Noes: None

Abstain: Mayor Pro Tem Love

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

Councilman Dryden pointed out the 50' strip would remain as it is limited to "A" Residential. Mayor Butler told Dr. Hazelton this action would protect at least the visual encroachment.

ALVIN P. SCHILLER
ARTHUR A. WUTHRICH
By Don Fergurson
C14-72-284

5605-5607 Joe Sayers

From "A" Residence
To "B" Residence NOT
Recommended WITHDRAWN

Councilman Dryden moved the Council grant the request to withdraw the zoning. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Handcox

The Mayor announced that the zoning had been withdrawn.

P. M. BRYANT
C14-72-074

2642-2700 Metcalfe Road

From "A" Residence
To "BB" Residence NOT
Recommended
WITHDRAWN

Mayor Pro Tem Love moved the Council accept the request to withdraw the zoning. The motion, seconded by Councilman Nichols, carried by the following vote:

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Handcox, Mayor
Butler

The Mayor Pro Tem announced that the zoning had been withdrawn.

FRED J. QUIST,
ET UX
By Virgil Waggoner
C14-72-283

4501 & 4509-4611
Manchaca Road

From "A" Residence
To "GR" General Retail
on Trs. 1, 2, 3, & 4.
"B" Residence on Tr. 5
NOT Recommended
RECOMMENDED by Planning
Commission "BB" Residence
on Trs. 1, 2, 3, and 4
with Tr. 5 remaining "A"
subject to a subdivision
and a 6' privacy fence
along boundary lines
abutting "A" Residence.
REFERRED back to Planning
Commission.

After discussion on Considering "O" Office, the Council decided to send this back to the Planning Commission for hearing - all parties to be notified.

Mayor Pro Tem Love moved the Council refer this change back to 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
Abstain: Councilman Lebermann

The Mayor announced that the zoning had been referred to the Planning Commission.

JOHN GIDDINGS	200-204 West 31st St.	From "A" Residence
By Martin Boozer, Jr.	2100-3106 Cedar St.	To "B" Residence (as
C14-72-295		amended) NOT Recommend-
		ed by Planning Commission
		Referred back to Planning
		Commission

Mr. Martin Boozer requested that the case be referred back to the Zoning Committee, as certain evidence was not heard by the Planning Commission, and this material was viewed as new evidence by two of the members of the Planning Commission. Mrs. J. L. Telford represented the residents, who had signed a petition with 49% of the surrounding property owners. She explained that the neighborhood did not like to come back to a repetitious drill on this matter, and requested that the zoning be heard by the Council at that time.

Mr. Lillie, Director of Planning Department, explained that the Committee and Commission had a very difficult time reaching a decision on this one. They had three motions. One to grant "BB" did not pass; one to grant "B" also did not pass; and the third motion to turn it down entirely; and it is in this form it comes before the Council. It was decided that, since a full Council was not present, to hear it later on in the morning to decide whether or not to refer it back to the Commission.

Later in the morning, with all members present, after hearing from the neighboring property owners who protested further hearing, Mayor Pro Tem Love moved the Council refer the case back to the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

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

The Mayor announced that the zoning had been referred back to the Planning Commission.

W. R. COLEMAN	2005 Lakeshore Dr.	PLANNED UNIT DEVELOPMENT
C814-72-012		consisting of 12 town-
		house units(Island Way)
		NOT Recommended by
		Planning Commission
		REFERRED Back to Plan-
		ning Commission.

Mr. W. R. Coleman asked that his zoning application be returned to the Zoning Committee as he was not aware of what the objections were. He brought out the lack of notification to interested parties. Mayor Butler noted 15 communications were filed in opposition. The Director of Planning, Mr. Lillie, stated this development was the first of its kind on the west side of Lake Austin. Part of

the notice problem was sending notices outside the City limits, and in West Lake Hills. He stated the Commission's attitude was that 12 units on four acres, two of which are in the Lake, would be too dense. After discussion, Mayor Pro Tem Love moved the grant Mr. Coleman's request and return the matter to the Zoning Committee. The motion, was seconded by Councilman Lebermann.

In discussion, Mr. Cauley, appearing in opposition, stated the property was one of 4.05 acres with 2.2 acres under water. The 1 and 7/10ths of an acre is filled from the Lake. With the Lake's being drained around the 15th of this month, the applicant could make additional dry land and strengthen his case.

Councilman Dryden wanted assurance that Mr. Coleman would do no construction fill or retaining walls. This might give the neighbors and Mr. Coleman an opportunity to get together on this matter. Mr. Coleman pointed out improvements existing at this time under approval of the Navigation Board and the Council three years ago. He wanted to discuss the technical situation with these people and to explain the P. U. D. development. He said there would be no change in the configuration of the land during this period.

Mayor Butler asked the opponents if this would be acceptable, as Mr. Coleman had agreed that no land change would take place during this postponement period. A lady in the audience still opposed, noting much building had been accomplished and she did not know how Mr. Coleman could add 12 additional town houses.

Roll call on Mayor Pro Tem Love's motion, showed it passing by the following vote:

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

The Mayor announced that the zoning had been referred back to the Planning Commission.

RICHARD S. TRIMBLE
By Lou McCreary
C14-72-291

7807 Watson Street

From "A" Residence
To "O" Office
NOT Recommended
POSTPONED

Mr. McCreary, representing Mr. Trimble, explained that the applicant wants a home-operated barber shop. It was pointed out that a beauty shop is permitted in "A" zoning, but a barber shop much have "O". Councilman Dryden indicated the precedent might be set by this rezoning. Mayor Pro Tem Love suggested that the ordinance be changed to cover this type of situation, and it was agreed that the ordinance would be requested, drawn up, and sent to the Planning Commission, with it finally coming back before the Council. It would take approximately 30 days, in which time the applicant will be able to stay in his present location.

Mayor Pro Tem Love moved the Council postpone this zoning application until the ordinance had been brought in. The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced that the zoning had been postponed.

C. K. JAMISON
By Joe R. Long
C14-72-214

4308-4310 Avenue F

From "A" Residence
First Height and Area
To "B" Residence
Second Height and Area
NOT Recommended
POSTPONED

Mr. Osborne Dykes appeared before the Council in opposition to this zoning, stating there were at least two residents who were in the Chambers this morning, but who misunderstood the case would not be heard today. He asked, therefore, that this hearing be postponed. Instead of calling Mr. Joe Long back to the meeting, Councilman Nichols moved the hearing be postponed until 10:00 A. M., January 11. 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

The Mayor announced that the hearing had been postponed.

RICKER, BROWN &
HASSELL
By Nat H. Ricker
C14-72-227

919-923 St. Johns Ave.
7106-7108 Bennett St.

From "A" Residence
NOT Recommended
POSTPONED

At the request of the applicant, who was ill, Mayor Pro Tem Love moved the Council postpone hearing this case until February 1, at 10:00 A. M. The motion, seconded by Councilman Nichols, 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 hearing had been postponed.

RAY SHAW
C14-72-289

2115-2203 Thrasher Ln.

From "A" Residence
To "C" Commercial
NOT Recommended
DENIED

Mayor Pro Tem Love moved the Council uphold the recommendation of the Planning Commission, and deny the zoning. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Handcox

The Mayor announced that the zoning had been denied.

ARDIE MAE CLARK
By J. V. Pilcher
C14-72-277

Rear of 3302-3308 Pecan
Springs Road
3310-3400 Pecan Springs
Road
Rear of 3402-3406 Pecan
Springs Road

From "A" Residence
To "B" Residence NOT
Recommended by Planning
Commission

Mr. E. H. Smart represented the opponents in this case.

Mayor Pro Tem Love moved the Council uphold the recommendation of the Planning Commission and deny the zoning request. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced that the zoning change had been denied.

AUSTIN CATERING
SERVICE, INC.
C14-7-287

2104-2106 Nickerson
Street

From "BB" Residence
Second Height and Area
To "B" Residence
First Height and Area
NOT Recommended by
Planning Commission.

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

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

The Mayor announced that the change had been denied.

ADJOURNMENT

There being no further business, the Council adjourned.

APPROVED:

Rey Butler
Mayor

ATTEST:

Grace Monroe
City Clerk