

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 8, 1973
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Butler presiding.

Roll Call:

Present: Councilmen Dryden, Nichols, Love, Lebermann, Friedman, Handcox,
Mayor Butler

Absent: None

The Invocation was delivered by City Manager Dan Davidson.

MINUTES APPROVED

Councilman Nichols moved the Council approve the Minutes of the Regular Meetings of January 4, 1973, and January 11, 1973, and the Special Meeting of January 24, 1973. 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

RECOGNITION OF MR. CHARLES MERL GOODNIGHT

Councilman Nichols was asked to read the resolution signed by Mayor Butler, Mayor Pro Tem Love, and all members of the Council, noting that since Mr. Charles M. Goodnight had moved to Austin in 1931, he had anonymously and quietly offered and provided assistance to many residents and demonstrated his compassion and love for his fellow man; and his many acts of altruism and benevolences have gone without notice. Mr. Goodnight was a benefactor of the Austin community until his death on February 1, 1973, at the age of 64 years. The Council wanted to take a note at this time and recognize this outstanding Austin citizen. His family and a number of friends were present.

YOUNG TEXAN OF THE YEAR - OBIE MOORE

Mayor Pro Tem Love read a resolution honoring Mr. Obie L. Moore for his accomplishments which led to his selection as Young Texas of the Year by the Texas Optimists Clubs, noting Mr. Moore is the first high school student and the first Austin resident to receive this accolade since the program was initiated in 1959. He has reached a high mark of achievement; has brought credit to himself as well as to the entire Austin community; excelled in scholarship; and is most active in his church work and choir. The Mayor Pro Tem encouraged all residents of Austin to join the Council in recognition of this outstanding record of personal achievement. Mr. Moore thanked the Council that Austin is the kind of place that it is, and that he was allowed to achieve these goals throughout the years. Present were Mr. Moore's family, Messrs. Lee Todd, President of the North Austin Optimist Club, and Gerald Weiss, Lt. Governor of the South Central District of Optimist International, and other friends.

DICK NICHOLS APPRECIATION DAY

Mayor Butler noted that Councilman Nichols had devoted many of his energies and talents full time to the service as Councilman, being available at all hours to work with citizens with Municipal problems. He has the longest tenure of service of any member of the present Council. The Mayor then proclaimed February 8 as "Dick Nichols Appreciation Day". Present were Mr. Dave Shanks, Charlie Goodnight, Jim Pollard, and others.

CASH SETTLEMENT

Councilman Nichols moved the Council adopt a resolution authorizing a 60/40% cash settlement with Centex Materials for a sewer main extension at Centex South. Estimated cost of the sewer main is \$910.00 - City's cost @ \$546.00; Owner's cost @ 40% is \$364.00. 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: Councilman Friedman

SPECIAL PERMIT APPEAL HEARING SET

Councilman Nichols moved the Council set a public hearing on an appeal filed by Mrs. Julia E. Matelski of the decision of the Planning Commission granting a Special Permit to Redman Development Corporation to build 456 apartment units - Case Number CP14-72-067 - for March 1, 1973, at 2:00 P.M. 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

ZONING ORDINANCE AMENDMENTS

Councilman Friedman moved the Council set a public hearing for February 22, 1973 at 10:00 A.M. to consider amendments to the Zoning Ordinance and Subdivision Ordinance establishing new fee schedules for zoning cases and subdivision cases, and to consider adopting a resolution establishing a fee for processing applications for Master Plan amendments. 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

EASEMENT RELEASED

Mayor Pro Tem Love moved the Council adopt a resolution authorizing release of the following easement:

*That certain portion of an existing blanket electric easement in,
upon and across that certain 67.7 acre tract of land owned by
J. B. Beard on R.R. 2222.*

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

EMINENT DOMAIN PROCEEDINGS

Councilman Nichols moved the Council adopt a resolution authorizing eminent domain proceedings for a sanitary sewer easement on the following property:

2.31 acre tract, 0.82 acre tract and 1.00 acre tract out of the
WILLIAM CANNON LEAGUE.

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

REJECTION OF BIDS

Councilman Nichols moved the Council adopt a resolution rejecting bids for construction of Legacy of Parks Improvements at nine Parks and Playgrounds. 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

REIMBURSEMENT OF UTILITY FUND

Councilman Nichols moved the Council adopt a resolution providing for reimbursement of the utility fund by the Street Improvement Bond Fund for all costs incurred in repaying the portion of Refund Contracts incurred for the paving of street intersections. The motion, seconded by Councilman Dryden, carried by the following vote:

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

CONTRACT RENEWED

Councilman Dryden moved the Council adopt a resolution authorizing the City of Austin to renew a contract with the Capital Area Planning Council for a Minority Intern Program, for a total cost of \$24,600. HUD - \$16,400; City of Austin in-kind contribution is \$8,200. The motion, seconded by Councilman Friedman, carried by the following vote:

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

GRANT APPLICATION

Councilman Handcox moved the Council adopt a resolution authorizing the City of Austin to submit a grant application to the State Department of Health for matching funds for the Community Health Center of the Community Health Center and Neighborhood Facility, Capital Improvements Program Project Nos. 91020 and 94020. Total cost of Community Health Center and Neighborhood Facility is \$960,000; Cost of Community Health Center is \$300,000: Hill Burton - \$150,000 and City of Austin - \$150,000. The motion, seconded by Councilman Dryden, carried by the following vote:

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

USE OF MOTOR BOAT ON TOWN LAKE

Councilman Friedman moved the Council authorize the Texas Highway Department to utilize a small boat with an 18 HP motor on Town Lake for official bridge inspection purposes. The motion, seconded by Councilman Handcox, carried by the following vote:

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

PURCHASE OF APPROACH MAIN

Mayor Butler introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH THE AUSTIN INDEPENDENT SCHOOL DISTRICT; 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 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 ordinance had been finally passed.

STREET IMPROVEMENTS

Mayor Butler introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, 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 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.

730208-C

Caption goes here

~~The~~ Airport Security Improvement

AIRPORT SECURITY IMPROVEMENTS

Mayor Butler introduced the following ordinance:

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: Councilman Nichols, Mayor Pro Tem Love, Councilmen Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden
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:
A 1.15 ACRE TRACT OF LAND, LOCALLY KNOWN AS 2612 WHELESS LANE, 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. (Logan Sellers C14-72-117)

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 Dryden, 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 ordinance had been finally passed.

ANNEXATION ORDINANCE

Mayor Butler brought up the following ordinance for its first 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 31.09 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE; 19.06 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE THEODORE BISSEL LEAGUE; AND 30.75 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE T. J. CHAMBERS GRANT; ALL BEING LOCATED 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.

The ordinance was read the first time, and Councilman Nichols moved that the ordinance be passed to its second reading. The motion, seconded by Mayor Pro Tem Love, carried by the following vote:

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

The ordinance was read the second time, and Councilman Nichols moved that the ordinance be passed to its third reading. The motion, seconded by Mayor Pro Tem Love, 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 ordinance had been pass through its first and second readings only.

TELEPHONE RATE ORDINANCE POSTPONED

The Item of bringing up the Telephone Rate Ordinance for its second reading was postponed until next week.

ORDINANCE AMENDED

The Mayor introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 720927-A TO TRANSFER FROM CERTAIN APPROPRIATED FUNDS AND CREDIT TO PLANNING DEPARTMENT ACCOUNT NO. 00710160 AN AMOUNT TO BE EXPENDED FOR THE EMPLOYMENT OF ADDITIONAL PERSONNEL; 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 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 ordinance had been finally passed.

BOAT RACE DATE CHANGED

Mayor Pro Tem Love moved the Council grant the request of Mr. Danny Reed, President of the Austin Boat Club, Inc., to change one boat race date previously approved by the Council for May 5 and 6, 1973, to April 28 and 29, 1973. 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

STREET CLOSED - LIVESTOCK SHOW

Mayor Pro Tem Love moved the Council grant the request of Mr. Verlin Callahan, President of the Austin Livestock Show, to close Dawson Street for thru traffic from 6:00 A.M. until 12:00 midnight, on Tuesday, March 20, 1973, to permit the animals to enter from the Dawson Street side of the barns. 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

PARADE PERMIT - MARCH OF DIMES

Mayor Pro Tem Love moved the Council grant a change in -- at the request of Mr. Jay L. Johnson, Jr., Chairman of the Board, March of Dimes Capital Area Chapter -- the date of a parade permit from March 10th to February 24, 1973. 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

ARTS AND CRAFTS SHOW

Mayor Pro Tem Love moved the Council approve the request of Mr. Maurice G. Heath, President South Austin Lions Club, for permission to use the Ben Howell Memorial Trail (Blum Creek Park) between the streets of East Live Oak and East Monroe for its fourth annual Arts and Crafts Show on April 7-8 or April 14-15, depending on the weather. 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

STREET TEMPORARILY CLOSED

Mayor Pro Tem Love moved the Council approve the request of the Heritage Society to temporarily close Brazos from 6th to 8th Streets on February 10, 1973, 8:00 - 10:00 P.M. and on February 11, 1973, 3:30 - 5:30 P.M. 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

ZONING HEARINGS

Pursuant to published notice thereof the following zoning applications were publicly heard:

LUMBERMENS INVESTMENT CORPORATION	6700-6716 Sandshof Dr.	From "A" Residence,
By Richard Baker	6700-6714 Decker Lake	First Height and Area
C14-72-305	Road	To "LR" Local Retail,
		First Height and Area
		RECOMMENDED by the
		Planning Commission

Councilman Nichols moved the Council grant the change to "LR" Local Retail, First Height and Area, 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 Lebermann, Friedman, Handcox, Mayor Butler, Councilman Dryden
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail, First Height and Area, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary Ordinance to cover.

INTRASTATE INVESTMENTS, INC.	2800-2906 Robinson	From "A" Residence,
By Phil Mockford	1113-1117 E. 30th St.	First Height and Area
C14-72-307	1103-1111 & 1112-1116	To "GR" General Retail,
	E. 29th St.	Second Height and Area
		RECOMMENDED by the
		Planning Commission
		subject to vacation of
		29th St. at this loca-
		tion.

Councilman Nichols moved the change be granted to "GR" General Retail, Second Height and Area, as recommended by the Planning Commission, subject to vacation of 29th St. at this location. 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

The Mayor announced that the change had been granted to "GR" General Retail, Second Height and Area, as recommended by the Planning Commission, subject to vacation of 29th St. at this location, and the City Attorney was instructed to draw the necessary ordinance to cover.

LEONARD T. & INA E.
EVANS ET UX
C14-72-309

4107 Marathon Blvd.

From "A" Residence,
First Height and Area
To "O" Office,
First Height and Area
RECOMMENDED by the
Planning Commission

Councilman Nichols moved the change be granted to "O" Office, First Height and Area, as recommended by the Planning Commission. 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

The Mayor announced the zoning had been changed to "O" Office, First Height and Area, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

VIRGINIA ANN
CLEVELAND JONES
By J. P. Cleveland
C14-72-315

1209 Parkway

From "B" Residence,
Second Height and Area
To "O" Office,
Second Height and Area
RECOMMENDED by the
Planning Commission

Councilman Nichols moved the Council grant the change to "O" Office, Second Height 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, Councilman Lebermann
Noes: None

The Mayor announced the zoning had been changed to "O" Office, Second Height and Area as recommended by the Planning Commission and the City Attorney was instructed to draw the necessary ordinance to cover.

DONALD S. THOMAS
By Tom Curtis
C14-72-322

1022-1044 Reinli St.
1015-1057 Clayton Ln.

From "B" Residence,
Second Height and Area
To "GR" General Retail,
First Height and Area
RECOMMENDED by the
Planning Commission

Councilman Nichols moved the Council grant the change to "GR" General Retail, First Height and Area, as recommended by the Planning Commission. 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

The Mayor announced the zoning had been changed to "GR" General Retail, First Height and Area as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

MARLIN L. BOYD
By Ralph Tippet
C14-72-303

4533-4605 South
Congress

From "C" Commercial,
Sixth Height and Area
To "D" Industrial,
Sixth Height and Area
RECOMMENDED (subject
to right-of-way on
Luckinger Ln. to bring
it to 70 feet) by the
Planning Commission

Councilman Nichols moved the Council grant the change to "D" Industrial, Sixth Height and Area, 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 Lebermann, Friedman, Handcox
Noes: None

The Mayor announced the zoning had been changed to "D" Industrial, Sixth Height and Area subject to right-of-way on Luckinger Ln. to bring it to 70 feet, and the City Attorney was instructed to draw the necessary ordinance to cover.

CITIZENS NATIONAL
BANK
By Phil Mockford
C14-72-306

5413 Harmon Ave.

From "A" Residence,
To "B" Residence
RECOMMENDED (subject to
limitation to one curb
cut on Harmon fencing
along Harmon to align
with the present fencing
setback, and fencing
where adjoining property
zoned "A") by the
Planning Commission

Councilman Nichols moved the Council grant the change to "B" Residence as recommended by the Planning Commission. 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

The Mayor announced the zoning had been changed to "B" Residence subject to limitation to one curb cut on Harmon fencing along Harmon to align with the present fencing setback, and fencing where adjoining property zoned "A", and the City Attorney was instructed to draw the necessary ordinance to cover.

MADGE FYFFE
DARLINGTON
By David Shapiro
C14-72-310

416 W. Alpine
Road (rear)

From "A" Residence
To "B" Residence
RECOMMENDED (subject to
subdivision combining
subject tract with the
apartment dwelling group
to the west; an approved
revised site plan for
Special Permit CP14-72-05;
and necessary right-of-
way on Alpine Road to
bring it to 60 feet) by
the Planning Commission

Councilman Nichols moved the Council grant the change to "B" Residence 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, Friedman, Handcox, Mayor Butler, Councilman Dryden

Noes: None

The Mayor announced the zoning had been changed to "B" Residence subject to subdivision combining subject tract with the apartment dwelling group to the west; an approved revised site plan for Special Permit CP14-72-05; and necessary right-of-way on Alpine Road to bring it to 60 feet, and the City Attorney was instructed to draw the necessary ordinance to cover.

AUSTEX DEVELOPMENT
CO., LTD.
By Louis Kirchofer, Jr.
C14-72-312

9400 Block Grouse
Meadow Lane
1201-1203 Rutland
1110-1200 Rundberg

From "A" Residence
To "BB" Residence
RECOMMENDED (subject to
10 ft. of r-o-w on
Grouse Meadow Lane) by
the Planning Commission

Councilman Nichols moved the Council grant the change to "BB" Residence 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, Handcox,
Councilmen Dryden, Nichols,
Noes: None
Abstain: Mayor Butler

The Mayor announced the zoning had been changed to "BB" Residence subject to 10 ft. of r-o-w on Grouse Meadow Lane and the City Attorney was instructed to draw the necessary ordinance to cover.

HENRY V. RAMSEY,
HENRY A. RAMSEY &
BILLY R. RAMSEY
Partnership
C14-72-314

1406-1412 Wheless Ln.

From "A" Residence
To "B" Residence
RECOMMENDED (subject to
subdivision and 10' of
r-o-w on Wheless Ln.) by
the Planning Commission

Mayor Pro Tem Love moved the Council grant the change to "B" Residence 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 the zoning had been changed to "B" Residence subject to subdivision and 10' of r-o-w on Wheless Ln. and the City Attorney was instructed to draw the necessary ordinance to cover.

GREENBRIAR DEVELOPMENT
LTD.
C14-72-316

207 Anderson
Lane East (rear)

From "O" Office
To "C" Commercial
RECOMMENDED (subject to
restriction covenant
limiting development to
site plan 1-A, except
requiring planted buffer
on west boundary line)
by the Planning Commission

Councilman Nichols moved the Council grant the change to "C" Commercial as recommended by the Planning Commission. 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

The Mayor announced the zoning had been changed to "C" Commercial subject to restriction covenant limiting development to site plan 1-A, except requiring planted buffer on west boundary line, and the City Attorney was instructed to draw the necessary ordinance to cover.

CHARLES WOLF ESTATE
& K. R. T. INC.
By Richard Baker
C14-72-319

1100-1126 Ben White
4003-4017 Banister

From Tract 1: "A" Residence--Tract 2: "B" Residence
To "O" Office
RECOMMENDED (subject to subdivision combining properties and providing access on Ben White, $\frac{1}{2}$ the necessary r-o-w to bring Banister to 70' from Southridge to Ben White & $\frac{1}{2}$ the necessary r-o-w to bring the remainder of Banister to 60 feet) by the Planning Commission

Councilman Nichols moved the Council grant the change to "O" Office as Recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

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

The Mayor announced the zoning had been changed to "O" Office subject to subdivision combining properties and providing access on Ben White, $\frac{1}{2}$ the necessary r-o-w to bring Banister to 70' from Southridge to Ben White & $\frac{1}{2}$ the necessary r-o-w to bring the remainder of Banister to 60 feet and the City Attorney was instructed to draw the necessary Ordinance to cover.

ROBERTA P. DICKSON
C14-72-327

4401 E. Riverside

From Interim "A" Residence
First Height and Area
To "O" Office,
Second Height and Area
RECOMMENDED (subject to varying r-o-w on E. Riverside to bring it to 120 feet)

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

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

Noes: None

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

The Mayor announced the zoning had been changed to "O" Office, Second Height and Area, subject to varying r-o-w on E. Riverside to bring it to 120 feet, and the City Attorney was instructed to draw the necessary ordinance to cover.

W. D. DODSON
By Martin Boozer, Jr.
C14-72-271

60 Rainey St.
606-608 River St.

From "A" Residence
To "B" Residence
RECOMMENDED(as amended)
(subject to five feet of
r-o-w on River St.) by
the Planning Commission

The Director of Planning, Mr. Lillie, noted the filing of a valid petition signed by 22%. He also stated the area had developed with high rise development and the area would change to a higher density although it is in low density. He stated the staff had recommended to the Commission that "C" Commercial was too intensive and recommended "B" Residence, First Height and Area. The Commission concurred and the applicant amended his request to "B" Residence.

Councilman Nichols moved the Council grant the change to "B" Residence as amended and as recommended by the Planning Commission. The motion, seconded by Councilman Nichols, 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 the zoning had been changed to "B" Residence as amended subject to five feet of r-o-w on River Street, and the City Attorney was instructed to draw the necessary ordinance to cover.

PARKER HEIGHTS, INC.
C14-72-320

1405-1423 Burton Dr.
Rear of 2101-2201
E. Riverside Dr.

From "GR" General Retail
To "C-2" Commercial
NOT Recommended by the
Planning Commission
RECOMMENDED "C-2" on a
limited area of a
building within a shopping
complex, subject to field
notes for location of
zoning.

Councilman Nichols moved the Council grant the change 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

The Mayor announced the zoning had been changed to "C-2" Commercial on a limited area of a building within a shopping complex, subject to field notes for location of zoning, and the City Attorney was instructed to draw the necessary ordinance to cover.

DAVID B. BARROW
By Jeryl D. Hart
C14-72-328

Tract 1
3440-3532 Far West
Blvd. and Bounded on
east by MoPac r-o-w

From Interim "A" Residence,
First Height and Area
To "GR" General Retail,
First Height and Area

Tract 2
Rear of 3462-3532
Far West Blvd. and
7115-7219 Wood
Hollow Dr. proposed

From Interim "A" Residence,
First Height and Area
To "O" Office,
First Height and Area
(as amended)

There being no opposition, Mayor Pro Tem Love moved the Council grant the changed to "GR" General Retail, First Height and Area in Tract 1 and "O" Office, First Height and Area in Tract 2. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced the zoning had been changed to "GR" General Retail, First Height and Area in Tract 1 and "O" Office (as amended), First Height and Area in Tract 2, and the City Attorney was instructed to draw the necessary ordinance to cover.

Tract 3
Rear of 3540-3636
Far West Blvd; 7115-
7401 Hart Ln.; 3543-
3611 Greystone Dr.
and 7114-7440 Wood
Hollow Dr. (proposed)

From Interim "A" Residence
To "B" Residence
(as amended)
RECOMMENDED as amended (sub-
ject to a restrictive cove-
nant limiting the 4 corners
of Hart and Greystone to
uses permitted in "A" Resi-
dence zoning) by the
Planning Commission

Planning Director Richard Lillie presented the case covering Tract 3, describing the area as being in Northwest Hills and north of the old gravel pit where the applicant is beginning a major shopping center activity. The south

boundary of Tract 3 is about a 50' bluff and lies between two collector streets - Hart Lane (Wood Hollow Drive is not in at this time), and Greystone Drive on the north end. A 40 acre tract is west of Hart Lane and that tract may change through a planned unit development. The staff recommended "BB" Residence as more appropriate than "B" Residence because of the zoning granted to the north and to the east.

Mr. David Barrow represented himself in this zoning, stating no one had appeared in opposition at the Planning Commission hearing; and that in discussion with those in the area they had told them about the use that would be made of the property; plans were on file with the Planning Department.

Mr. Irwin Salmonson represented the Northwest Austin Civic Association in opposition, stating this a long standing concern; when they first were talking about intrusions into the northwest area by apartments and the people were concerned what was primarily sold to them as a single family development was turning into an apartment house development. He noted an agreement that along Hart Lane, north of Greystone, there would be a buffer area of "A" residential along that line. He was asking now for a buffer area of "A" residential along Hart Lane so it would be a continuation of coming south from north of Greystone, crossing Greystone going south there would be a buffer. The buffer granted in the north location was 120 feet "A" residential. The residents are concerned that having "B" Residence zoning would only add to the present confusions in the area. "BB" Residence was recommended by the Planning Department and that would be generally what had been granted before. He summarized their request in that the Council go along with the Planning Department and the wishes of the citizens, that instead of "B" that it be zoned "BB" Residence and that the buffer be continued along Hart Lane south.

Mr. Chuck Stahl, architect, discussed the number of units that could be constructed per acre on this piece of property, stating he did not think that 40 units an acre in First Height and Area with parking requirements would be possible. His opinion was that only 25 to 30 units could be built. Councilman Nichols asked if they would accept a restrictive covenant to 25 units per acre on this property.

Mr. Barrow reviewed his developments, and stated he was convinced that this zone too would be sound zoning.

Planning Director Lillie commented about the buffer, stating if an "A" Residence buffer were left on the west side along Hart Lane, all of the traffic would have to use greystone and Wood Hollow. It would prohibit apartment traffic from using Hart Lane. A driveway through a residential zoning could be made that would serve apartments; and it is likely that the buffer should not be at this location. There is a need of access from three directions instead of two, and he would recommend against the buffer. Mr. Salmonson stated the people wanted some kind of line to stop the thrust of apartments into a residential area. It was stated the apartment areas had always been platted as apartment land.

Councilman Nichols asked if Mr. Salmonson were agreeable to Mr. Barrow's comment that the development would be restricted to 30 units.

Mr. Stahl stated the development of this is a city within a city and pointed out the area on the map. The whole scheme is to take a gravel pit and make it a town center, so that this could function as a satellite city with utilities, library, etc. Mr. Stahl described the proposed development and the gradation of zoning.

Council members discussed this thoroughly with the applicants, the opponents and the Director of Planning.

Councilman Handcox moved the Council grant the zoning change to "B" Residence, First Height and Area subject to the contingency of 30 units per acre. The motion was seconded by Councilman Friedman.

Councilman Nichols offered a substitute motion that the zoning be granted to "B" Residence, First Height and Area subject to 25 units. Councilman Dryden seconded the motion.

In answer to Councilman Friedman's question, Mr. Barrow stated he was the one to suggest a compromise of 30 units per acre.

Roll call on the substitute motion failed to carry by the following vote:

Ayes: Councilmen Dryden, Nichols

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

Roll call on the original motion of Councilman Handcox (subject to 30 units) showed the following vote:

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

Noes: Councilman Nichols

The Mayor announced the zoning had been changed to "B" Residence, First Height and Area as amended subject to a restrictive covenant limiting the 4 corners of Hart and Greystone to uses permitted in "A" Residence zoning and subject to the contingency of 30 units per acre, and the City Attorney was instructed to draw the necessary ordinance to cover.

CRISPI WOOD
C14-72-299

1109 So. I.H. 35

From "LR" Local Retail,
First Height and Area
To "GR" General Retail,
Second Height and Area
NOT Recommended by the
Planning Commission
RECOMMENDED "GR" General
Retail, First Height and
Area (subject to no
access to Inglewood
Street and field notes
to describe the area to
be rezoned)

Mr. Paul Jones representing Mr. Crispi Woods, stated the recommendations were acceptable to the applicants. They are asking to change a 5,000 square foot tract out of their 54,000 square foot tract. Councilman Nichols asked if the "GR" General Retail, First Height and Area subject to no access to Inglewood St. and field notes to describe the area were satisfactory. Mr. Jones stated that it is acceptable.

Councilman Nichols moved the Council grant the change to "GR" General Retail, First Height and Area as recommended by the Planning Commission. 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 the zoning had been changed to "GR" General Retail, First Height and Area subject to no access to Inglewood Street and field notes to described the area to be rezoned, and the City Attorney was instructed to draw the necessary ordinance to cover.

OLIVIA A. DOBBINS
By Martin H. Boozer, Jr.
C14-72-321

107-111 Leland St.
2100-2102 Nickerson
Street

From "BB" Residence,
To "O" Office,
NOT Recommended by the
Planning Commission
RECOMMENDED "O" Office
on the western $\frac{1}{2}$ of the
tract only, subject sub-
division and $2\frac{1}{2}$ feet of
r-o-w on Leland St.

Councilman Nichols moved the Council grant the change to "O" Office as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, 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 the zoning had been changed to "O" Office on the western $\frac{1}{2}$ of the tract only, subject subdivision and $2\frac{1}{2}$ feet of r-o-w on Leland St., and the City Attorney was instructed to draw the necessary ordinance to cover.

ESTATE OF MARY SCHULTZ,
Rosa Lee Schutz,
Administrator
By D. C. Ebner
C14-72-308

609-611 W. 28th St.

From "B" Residence
To "LR" Local Retail
NOT Recommended by the
Planning Commission
RECOMMENDED "O" Office

Mr. D. C. Ebner, real estate broker, represented the request of zoning for the heirs of Miss Mary Schutz, of which he was one. He has the property under escrow sales dependent upon "LR" Local Retail zoning. Mr. Ebner stated the proposed purchaser will do nothing to adversely effect his holding, as he holds a half a block of first class development across the street. The only objector

apparently would like to have the present contract negated in hopes he could buy at a reduced price. Mr. Ebner stated this purchaser plans to renovate the existing structure, remove the front porch, and pave the rest of the lot for off-street parking.

Assistant City Attorney Harris clarified the unusual case of voting in that if the motion for "LR" Local Retail were not to receive the six votes, the applicant could ask for the vote on the "O" Office, and in this case he would need only our votes. Mr. Ebner stated he would need the "LR" Local Retail in order to sell the property. He stated the man next door already has "LR" Local Retail zoning, and he is the only person opposing.

Councilman Nichols moved the Council grant the requested change to "LR" Local Retail. The motion, seconded by Councilman Dryden, failed to carry by the following tie vote:

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

Councilman Nichols moved the Council grant "O" Office as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, 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 the zoning had been changed to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

AUSTEX DEVELOPMENT
CO., LTD.
By Tom Curtis
C14-72-326

North east corner
of Westgate Blvd.
and Stassney Ln.

From Interim "A" Residence,
To "LR" Local Retail
NOT Recommended by the
Planning Commission
RECOMMENDED "LR" Local Retail on the area of the tract south of the drainage easement, subject to field notes to describe the area, and 6' privacy fencing where abutting "A" Residence zoning.

AUSTEX DEVELOPMENT
CO., LTD.
By Tom Curtis
C14-72-325

North west corner of
Cherry Creek Dr. &
Westgate Blvd.

From Interim "A" Residence
To "LR" Local Retail
RECOMMENDED (subject to restriction of apartment density to "BB",*and 6' privacy fencing where abutting residence property) by the Planning Commission

At the beginning of discussion of case 325, Assistant City Attorney, Jerry Harris noted the limitation of*height of buildings to be one story*was not a part of the Planning Commission's recommendation and should be deleted.

Mr. Terry Belt, attorney, represented the Southwest Austin Homeowner's Association, a group of home owners in the Cherry Creek Subdivision, in opposition to this zoning. Mr. Belt listed a number of inquiries as to the expansion of the commercial areas at the expense of the residential ones; as to the home owner's being deceived by disregarding zoning, ecology, and ignoring the voice of an entire community. He stated the home owners were told there would be buffer of duplexes.

Strong opposition was registered by the following:

Mr. Jim Aldredge, speaking for Southwest Austin Homeowners Association, alias Cherry Creek, on the northwest tract, stated most of the residents have purchased but have not moved in; and some are in the process of building. The property owners, expecting duplexes, were unaware of the different development, and this is the sixth time in less than a year that these people have had to come before the Council. Those purchasing and those having moved into the neighborhood did not want any compromise in any manner.

Mrs. Gloria Arion opposed zoning of these residential tracts, as the community did not need nor want any retail zoning. Mr. Donald Forsythe, 6909 Burrow, concurred that the zoning was not necessary and he would like for it to be thrown out. Mr. James Ward, 5704 Cherry Creek, opposed for the reasons previously set out.

Mr. Belt discussed the intersection of Cherry Creek and Westgate explaining how the traffic flow would change. Mention was made of gas stations and other businesses within short distances.

Mr. Tom Curtis, representing the applicants, stated the streets were not completed, but they are 90 foot arterials where a minimum of 15,000 cars daily should be expected. The tract is not suitable for residential use or for duplexes. He referred to a quote by a former Planning Commissioner in that if the zoning were not granted it would be expected that the case would come back because this land is not the sort of land on which duplexes would be constructed. The other parcels would fall in line due to their locations and shapes. Mr. Curtis reiterated that this property was not suitable for "A" residential.

Councilman Lebermann stated it appeared it would make sense for Mr. Curtis' clients to seriously consider a performance in accordance with that which salesmen represented to the people.

Mayor Pro Tem Love brought up for consideration the tract to the north side of the creek and its various zoning uses. That property was owned and developed by Mr. Nelson Puett.

Mayor Butler noted some of the arguments of the applicant seem to have more merit as applied to tracts designated as "C" and "D", then they do to Tracts "A" and "B". He asked if the clients would be agreeable if they had relief on Tracts "C" and "D" and not ask for a permanent classification on Tracts "A" and "B". At this time Tracts "C" and "D" have no homes backing up to the tracts.

Mayor Pro Tem Love brought up for discussion the other two tracts (north-east corner of Westgate and Stassney (326) in line with case 325--northwest corner of Cherry Creek and Westgate.

Mr. Belt's reaction was that the traffic problems would remain, and Cherry Creek would still be a residential circle.

The Mayor Pro Tem stated in the spirit of a compromise, he moved the Council deny the change on Subject Tract C (325) which is what the neighbors want; and grant the change on Subject Tract D (326) which is being handled right now.

Mayor Butler explained this was to grant the amended case which the Planning Commission unanimously recommended and overrule the Commission on the first case.

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

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

Noes: None

Not in Council Chamber when Roll was called: Councilman Nichols

The Mayor announced the zoning in Case 325 had been denied change to "LR" Local Retail and the zoning in Case 326 had been changed to "LR" Local Retail subject to restriction of apartment density to "BB" Residence, and 6' privacy fencing where abutting residence property, and stated the Council would look very hard at the next two tracts (A and B) and stress to the developer the absolute necessity that they are going to have to work with these people on the development of those other two tracts. The City Attorney was instructed to draw the necessary ordinance to cover.

AUSTEX DEVELOPMENT CO.
LTD.
By Louis Kirchofer, Jr.
C14-72-311

8915-9007 Parkfield Dr.
1203 Woodfield Drive

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

Mr. Louis Kirchofer Jr. represented the applicant stating this case all related to that Numbered 312, which was granted from "B" Residence to "BB" Residence. He had worked out a compromise with the Civic Association in opposition to the zoning. They had worked out a compromise plan of lowering the density in case 312 and reducing the density of case 311. They dropped down to 16 units--Mr. Kirchofer asked that this be referred to the Planning Commission subject to its approval and the Civic Associations approval of the development plan. Mr. Arnold Kreigle, member of the zoning committee of the N.A. Civic Association stated it would be satisfactory with the association to refer this back to the Planning Commission.

Councilman Nichols moved the Council referr this back to the Planning Commission. The motion, seconded by Councilman Lebermann, 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 request to a zoning change to "B" Residence had been referred back to the Planning Commission.

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

919-923 St. John's Ave.
7106-7108 Bennett St.

From "A" Residence
To "GR" General Retail
NOT Recommended by the
Planning Commission

Councilman Nichols moved the request to withdraw be granted. The motion, seconded by Councilman Friedman, 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

The Mayor announced the request for zoning change had been withdrawn.

JOE COLVIN
By George Butler
C14-72-292

308-310 West Oltorf Street

From "A" Residence,
To "GR" General Retail
NOT Recommended by the
Planning Commission
RECOMMENDED "O" Office
(subject to 10' of r-o-w
on Oltorf Street

Planning Director Dick Lillie reviewed this zoning case locating it just east of South 1st Street on Oltorf, and discussed the various uses at this time. The Commission did not want to encourage the strip commercial development, but did not object to the "O" office which had been granted to the west on two or three lots and on several lots across the street.

Mr. Gerald Clopton expressed opposition and he had filed a petition by about 90% opposition to this "LR" Local Retail zoning. The applicant previously withdrew his request realizing he could refile in 60 days. Mr. Clopton filed a petition validated in May of 1972. Surrounding owners are opposed to anything but residential "A" zoning. The people in the neighborhood ask that the request be denied once and for all.

Mr. Joe Colvin was not present to present his zoning request.

Councilman Nichols moved that the request be denied. 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 the request for zoning change to "GR" had been denied.

C. L. REEVES
C14-72-324

3428 Greystone Drive

From "LR" Local Retail
To "C-2" Commercial
NOT Recommended by the
Planning Commission
RECOMMENDED "C-2" Com-
mercial on an area of
approximately 8,000
square feet within a
building, with develop-
ment restricted to a
package liquor store
and other uses allowed
under "LR" zoning, sub-
ject to field notes for
location of zoning.

Assistant City Attorney Jerry Harris explained the recommendation is "C-2" Commercial on an area of approximately 8,000 square feet within a building with development restricted to a package liquor store and other uses allowed under "LR" zoning, subject to field notes for locating of zoning. The recommendation and conditions are agreeable to the applicant.

Planning Director Dick Lillie stated this case is slightly north of the case considered this morning, located on Greystone at the intersection of Balcones. He reviewed the street pattern which necessitates vacation of two streets due to topographic problems. The Commission recommended granting the application on a limited area as is done with most "C-2" applications--not on the total tract. Councilman Friedman inquired about the Staff recommendation which was to maintain the consistency of the zoning pattern as originally proposed. Due to changing conditions it was felt that the "LR" was still appropriate but that "C-2" was not.

Mr. Rogan Giles, representing C.L. Reeves the owner, pointed out the various uses in the area--a Convenience Type of Store, a filling station, the Koger properties, stating within two blocks in any direction there were no residential property except multiple family residences. Mr. Giles stated this "C-2" would permit a bar, but not so intended and he could authorize a statement to the effect that there could be a restriction against a bar. Mayor Butler asked if he meant restricted to just package sales off premises only. Mr. Giles stated they could do that. Beer for off premise could be sold under "LR" Local Retail as well as wine and beer, it was noted.

Mr. Salmonson expressed opposition stating this would be an intrusion. There was no objection to "LR" but a package store would be better on a major arterial street like Balcones Trail rather than on Greystone. Even though it were limited to a package store Mr. Salmonson emphasized the people are against a package store on Greystone. They would not object if it were on Balcones Trail or in the gravel pit area. After discussion Mayor Pro Tem Love moved the approval of the recommendation to "C-2" Commercial and the motion, seconded by Councilman Dryden, received the following tie vote:

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

Noes: Councilmen Nichols, Lebermann, Friedman

Abstain: Councilman Handcox, as he did not want any misunderstanding about any conflict of interest

The Mayor announced the motion failed to carry.

EUGENE NAUMANN AND
HENRY WENDLANDT, JR.
C14-72-244

1146-1148 Springdale
Road

From "B" Residence,
Second Height and Area
To "O" Office,
First Height and Area
(as amended)
NOT Recommended by the
Planning Commission

Councilman Nichols moved the Council deny the request. The motion, seconded by Councilman Friedman, carried by the following vote:

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

Noes: None

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

The Mayor announced the request had been denied.

JOE T. ROBERTSON
C14-72-298

3502 Bonnie Road

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

Mr. Joe Robertson represented himself in the zoning request stating he owned most of the frontage on Bonnie Road and the corner is zoned "C" Commercial. He wanted the inside lot #2 zoned "B" so that he could do some development in the form of multi-unit dwelling units to provide a little income. With the current zoning on the corner he could crowd a great number of units--he would not want to do that as he lived there too. He stated all four corners were "C". In discussion it was brought out that the zoning requested could be granted "B" contingent on limiting the development of the lot now zoned "C" to uses allowed

under "B" residence zoning classification and that would be done by a covenant running with the land. Mr. Robertson agreed. In discussion with Mr. Lillie who pointed out a problem that "B" zoning did not belong in the neighborhood as this is an internal residential neighborhood; and which he recognized the existing "C", he would not want to encourage apartment zoning in the area, as the residential neighborhood is a stable neighborhood. Finally after discussion, Mr. Robertson stated he preferred to keep the "C" zoning, he could build on that lot, but he could not join the two lots and build across the property line.

Motion

Mayor Pro Tem Love moved that the Council uphold the recommendation of the Planning Commission. Councilman Lebermann seconded the motion. Roll call showed the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Lebermann, Handcox

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

The Mayor announced that the motion had failed to carry.

Motion

Councilman Nichols moved that "B" zoning be granted subject to a restrictive covenant on that property which is immediately adjoining the property presently "C" limiting its uses to those which can be only done so in "B" Residence and treating the two lots as separate entities. Councilman Dryden seconded the motion.

Substitute Motion

Councilman Friedman offered a substitute motion to grant the "B" Residence on this inside tract with the contingency that the "C" lot be developed at no greater density than would be allowed under "B" Residence, First Height and Area and that both lots could be used jointly. The motion failed to receive a second.

Councilman Nichols motion received the following Roll call:

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

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

Mayor Butler announced the motion had failed to carry as it did not receive the six votes required to override a ruling of the Planning Commission. The Mayor stated Mr. Robertson was back where he started.

ROBERT L. OGDEN
C14-72-313

1406 West Sixth Street
601 Oakland Avenue

From "O" Office,
Second Height and Area
To "C" Commercial,
Second Height and Area
NOT Recommended by the
Planning Commission

Mrs. Mary Ogden represented their zoning request stating they made this request so that the best tennant they ever had could stay in business. He deals in leather goods--belts and purses. Instead of a classification of art, the use seems to have changed and is not in that classification. She suggested that the Code be changed to include leather goods as an art rather than a tannery. Councilman Friedman asked if the Ogdens would be agreeable to working this out to restrict the use of this property to the leather goods operation. Mrs. Ogden stated these men have a tailoring shop where they make leather suits, purses, and belts. West 6th is the major thoroughfare and she would like to use their property to the best of its advantage.

Mrs. Ogden would not accept the proposal offered by Councilman Friedman stating this street was a major thoroughfare and no street in the City or the State that would be regarded as residence. The Commission could see the change of the area. No property has been sold to a family. Councilman Friedman wanted to give relief under his plan to keep the tennants operating. Mrs. Ogden stated they would rather be turned down as it is.

Mayor Pro Tem Love moved the Council uphold the recommendation of the Planning Commission and deny the zoning request. 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

The Mayor announced that the request had been denied.

M.H. FLOURNOY, ET UX
C14-72-301

300 and 301 Idlewood Cove
6201-6209 Glen Meadow Drive

From "A" Residence
To "BB" Residence
NOT Recommended by the
Planning Commission

M. H. FLOURNOY, ET UX
C14-72-302

5917-6009 So. First St.
611-613 and 604-606
Flournoy Drive

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

Mr. M. H. Flournoy represented himself in the zoning request stating he had three over-sized lots on which he wanted to place three duplexes. Because of the peculiar location there is no possibility of their causing any traffic problem.

Mayor Butler stated the Committee's reasoning was that this was an intrusion into a single family neighborhood. Mr. Flournoy stated duplexes would not be the best use of the land, and he wants to build four plexes or a total of 12 units. Councilman Nichols stated he could presently build six units. Mayor Butler noted the Commission and the Committee unanimously voted not to recommend this zoning.

After thorough discussion of square footage and proposed development Mayor Pro Tem Love moved to uphold the Planning Commission in its recommendation thus denying the change in zoning. (The motion covered cases 301 and 302) The motion, seconded by Councilman Lebermann, carried by the following vote:

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

The Mayor announced that the request had been denied.

THE MT. BONNELL LODGE
NO. 2
By Donna Jo Johnson
Bridges
C14-72-300

1152-1154 Angeline Street

From "B" Residence
To "O" Office
NOT Recommended by the
Planning Commission

Ms. Donna Johnson Bridges represented the owners of this tract of land, the Mt. Bonnell Lodge No. 2. No one in the community was in opposition to the operation. She resented the opposition expressed by Urban Renewal. Planning Director Lillie stated this tract was within the Urban Renewal and the use is not in conformance with the project and Urban Renewal Agency has deed restrictions on file in the Court House restricting this kind of use in this area.

Mr. Paul Jones, representing Urban Renewal Agency, stated this project is being phased out and land has been sold to several hundred property owners in that project in reliance upon the restrictions that are on file. Mr. Jones stated the deed restriction would be enforced.

Mayor Pro Tem Love moved the Council postpone this case indefinitely. The motion, seconded by Councilman Nichols, carried by the following vote:

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

The Mayor announced the request had been postponed.

GRANT APPROVED

Mayor Butler announced receipt of a telegram from Congressman Jake Pickle that a \$60,500 grant to the City by the FAA had been approved. This grant is for installation of security fencing and terminal apron lighting and expansion of the fire station at Municipal Airport.

MODEL CITIES PROPOSAL

Councilman Lebermann moved the Council select PEAT, MARWICK, MITCHELL as the accounting firm to perform the annual audit of the Model Cities Second Year Program. 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

ZONINGS DISMISSED

Mayor Pro Tem Love moved the Council dismiss the following zoning cases:

DOUGLAS ALLEN C14-68-271	1713 Patton Ln.	From "A" Residence To "BB" Residence
WILLIAM E. NICHOLS C14-69-107	712 Henderson St.	From "B" Residence To "C" Commercial
AUSTIN NATIONAL BANK TRUSTEE, Vera Woods Smith et al, Trust C14-70-234	Rear of 6421-6511 No. Lamar Blvd.	From "A" Residence To "C" Commercial
MRS. M. D. STEUSSY C14-72-114	4901 Woodrow Ave.	From "A" Residence To "O" Office
VANCE FOX C14-72-120	4403 Red River St.	From "A" Residence To "O" Office
VICTOR MICHALENKO C14-72-133	1916 Justin Ln.	From "A" Residence To "O" Office
THALBERT R. THOMAS C14-72-167	3500-3502 Lawton Ave. 1800-1802 W. 35th St.	From "LR" Local Retail To "GR" General Retail

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

ZONINGS EXTENDED BY REQUEST

Mayor Pro Tem Love moved the Council extend the following cases as requested by applicant:

DAVID BARROW C14-70-018	6911 Thorncliff Dr. Rear of 3807-3811 No. Hills Dr.; Rear of 3501-3600 No. Hills Dr. Rear of 6500- 6643 Valleyside Dr.	From Interim "A" Resi- dence To "BB", Residence
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KERRY G. MERRITT
C14-70-245

7800-7806 Northcrest
7801-7805 Northcrest
(as amended)

From "A" Residence
To "BB" Residence

L. G. ALEXANDER,
deceased
c/o Joe Milner,
Attorney
C14-71-011

1703-1803 Dalton Ln.
1706-1806 Old Lock-
hart Highway

From Interim "A" Resi-
dence
To "GR" General Retail

RUNDBERG LANE
PROPERTIES
C14-71-231

Rear of 502-602
Rundberg Lane

From "B" Residence,
Tracts 1 and 2 and
"BB" Residence, Tracts
3 and 4
To "O" Office, Tracts
1 and 4 and
"GR" General Retail,
Tract 2 and
"B" Residence, Tract 3

HENRY G. SANDERS
C14-72-136

4120 E. 12th St.

From "A" Residence
To "LR" Local Retail

J. D. CULP
C14-72-157

1144 Gunter St.

From "A" Residence
To "B" Residence

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

ZONINGS EXTENDED

Councilman Dryden moved the Council extend the following zoning applications for ninety days, as the conditions are in the process of completion:

CARL V. SHOOTER
C14-68-187

1915 Garden St.
64-68½ Lynn St.
2000 Garden St.
71-73 Lynn St.

From "C" Commercial
To "A" Residence

WILLIAM C. KENNEDY,
ET AL

Rear of 6508-7604
Balcones Dr. (Tr. 1)
Rear of 7018-7024
Balcones (Tr. 2)

From Interim "A" Resi-
dence
To "BB" Residence

WALTER ELLISON
C14-69-012

2106-2110 Tillery St.

From "A" Residence
To "BB" Residence

JON COFFEE
(new owner -
David L. Maddox)
C14-69-114

1109-1113 Post Oak St.

From "A" Residence
To "BB" Residence

C. T. USELTON C14-69-139	825-829 Anderson Ln. 901-907 Anderson Ln. 820-826 Stobaugh 900-906 Stobaugh	From "A" Residence & "C" Commercial To "C" Commercial
JOHN J. McKAY, Trustee C14-69-145	4600-4616 F.M. Rd. 969 (E. 19th St.) 4301-4501 Springdale	From "A" Residence To "C" Commercial
THE SIGNAL CO., INC. C14-69-304	8153-8213 Research (tr. 1) Rear of 8153-8213 Research (tr. 2)	From Int. "A" Residence To "C" Commercial(Tr.1) & "B" Residence(Tr.2)
HAROLD GENE PATTERSON C14-69-330	4002-4038 Spicewood Springs	From Int. "A" Residence To "LR" Local Retail
WILLOW CREEK HILLS C14-70-204	Willow Creek, Sec. 5 Part of Willow Creek Sec. 4 located along Willow Creek Dr. and E. Oltorf.	From Int. "A" Residence To "B" Residence in part of Tr. 1, "B" Residence, "BB", Resi- dence, & "GR" General Retail in Tr. 2, "BB" Residence in Tr. 3; "B" Residence in part of Tr. 4.
CARLTON BUSKE C14-71-021	Rear of 3633-3723 Manchaca Rd.	From "A" Residence To "BB" Residence
JOE RUSSO, TRUSTEE C14-71-042	4501-4705 E. Riverside Drive	From "BB" Residence To "GR" General Retail
R. & J. INVESTMENT CO. C14-71-221	2904-2908 Sweeney Ln.	From "B" Residence To "LR" Local Retail
O. NEWTON WILDS, JR. C14-72-140	3704 Crawford Ave. 1512 W. 35th St. Cut-off	From "O" Office(Tr. 1) & "A" Residence(Tr. 2) To "C-2" Commercial (Tr. 1)& "GR" General Retail (Tr. 2)

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

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

ENGINEERING TESTING SERVICE

Councilman Nichols moved the Council select SNOWDEN & MEYER as the Soils Investigation and Engineering Testing Service in connection with the following Capital Improvements Program Project:

Baggage Area and Concourse Addition to Terminal Building - Municipal Airport - Project No. 8106 0.

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

PROFESSIONAL CONSULTANTS

Mayor Pro Tem Love moved the Council select professional consultants to provide engineering services in connection with 1973 Capital Improvements Projects as follows:

BRYANT-CURINGTON -- for Walnut Creek Wastewater Interceptor along Walnut Creek from north of F.M. 969 (E. 19th St.) to U.S. 290 (to west of F.M. 1325 future) - Project No. 5047 2.

KNOWLTON, RATLIFF, ENGLISH AND COLLINS -- for Jollyville Reservoir, U.S. Rte. 183 north and McNeil Road - Project No. 4066 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

TAX APPEALS

Councilman Nichols moved the Council sustain the Board of Equalization and set the assessed value on the following property:

		Assessed Value	
		Fixed by Board	Council Action
<u>James R. Sloan</u>			
Lt 10 Bl 6	Land	\$ 7,150	\$ 7,150
Colorado Foot-	Improvements	\$11,690	\$11,690
hills Sec 3	Total	\$18,840	\$18,840
1 2406 0118			

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

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

Councilman Lebermann moved the Council sustain the Board of Equalization and set the assessed value on the following property:

Austin Corporation by David B. Barrow (35 Parcels)
Barrow Corporation by David B. Barrow (2 Parcels)
D. B. & E. R. Barrow by David B. Barrow (1 Parcel)
E. R. & David B. Barrow by David B. Barrow (1 Parcel)
David B. Barrow (3 Parcels)

<u>Parcel Identification</u>	<u>Assessed Value Fixed by Board</u>	<u>Council Action</u>
Lot 1, Block N Land Northwest Hills Sec. 13 Parcel No. 1-3705-1101	\$ 1,390	\$ 1,390
Lot 2, Block N Land Northwest Hills Sec. 13 Parcel No. 1-3705-1102	\$ 1,340	\$ 1,340
Lot 3, Block N Land Northwest Hills Sec. 13 Parcel No. 1-3705-1103	\$ 1,140	\$ 1,140
Lot 4, Block N Land Northwest Hills Sec. 13 Parcel No. 1-3705-1104	\$ 1,140	\$ 1,140
Lot 5, Block N Land Northwest Hills Sec. 13 Parcel No. 1-3705-1105	\$ 3,900	\$ 3,900
Lot 6, Block N Land Northwest Hills Sec. 13 Parcel No. 1-3705-1106	\$ 3,790	\$ 3,790
Lot 13, Block N Land Northwest Hills Sec. 13 Parcel No. 1-3705-1109	\$ 3,760	\$ 3,760
Lot 14, Block N Land Northwest Hills Sec. 13 Parcel No. 1-4705-1110	\$ 4,460	\$ 4,460
Lot 30, Block G Land Northwest Hills Sec. 13 Parcel No. 1-3705-0128	\$ 5,130	\$ 5,130
Lot 31, Block G Land Northwest Hills Sec. 13 Parcel No. 1-3705-0129	\$ 5,740	\$ 5,740

<u>Parcel Identification</u>		<u>Assessed Value Fixed by Board</u>	<u>Council Action</u>
Lot 28, Block M Northwest Hills Sec. 13 Parcel No. 1-3804-0318	Land	\$ 4,890	\$ 4,890
Lot 27, Block M Northwest Hills Sec. 13 Parcel No. 1-3804-0319	Land	\$ 4,710	\$ 4,710
Lot 26, Block M Northwest Hills Sec. 13 Parcel No. 1-3804-0320	Land	\$ 4,750	\$ 4,750
Lot 25, Block M Northwest Hills Sec. 13 Parcel No. 1-3804-0321	Land	\$ 5,020	\$ 5,020
Lot 22-A Resub. of Lots 18-23, Block M Northwest Hills Sec. 13 Parcel No. 1-3804-0324	Land	\$ 4,710	\$ 4,710
Lot 28, Block G Northwest Hills Sec. 13 Parcel No. 1-3804-1301	Land	\$ 5,390	\$ 5,390
Lot 1, Block H Northwest Hills Sec. 13 Parcel No. 1-3804-1501	Land	\$ 3,680	\$ 3,680
Lot 2, Block H Northwest Hills Sec. 13 Parcel No. 1-3804-1502	Land	\$ 4,200	\$ 4,200
Lot 3, Block H Northwest Hills Sec. 13 Parcel No. 1-3804-1503	Land	\$ 4,640	\$ 4,640
Lot 1-A, Block H Northwest Hills Sec. 13 Parcel No. 1-3804-1505	Land	\$ 3,900	\$ 3,900
West 63 ft. of South 166.3 ft. Lot 8, Block 14, MAAS Addn. Parcel No. 1-1103-0222	Land	\$ 890	\$ 890
Lot 4 Resub. of Lots 4, Block J, Sec. 2 & Pt. of Lot 4, Block B. Sec. 1, Balcones Park Addition Parcel No. 1-2606-0209	Land	\$ 7,650	\$ 7,650

<u>Parcel Identification</u>		<u>Assessed Value Fixed by Board</u>	<u>Council Action</u>
18.189 Acres T. J. Chambers Grant Parcel No. 1-3501-0206	Land	\$61,390	\$61,390
1.573 Acres T. J. Chambers Grant Parcel No. 1-3501-0406	Land	\$23,600	\$23,600
Lot 2, Block F Northwest Hills Sec. 4 Parcel No. 1-3504-0113	Land	\$ 4,460	\$ 4,460
2.318 Acres T. J. Chambers Grant Parcel No. 1-3601-0104	Land	\$34,770	\$34,770
Lot 1, Block V Northwest Hills Cat Mountain Sec. Parcel No. 1-3607-0602	Land	\$ 6,000	\$ 6,000
Lot 2, Block V Northwest Hills Cat Mountain Sec. Parcel No. 1-3607-0601	Land	\$ 6,000	\$ 6,000
Lot 5, Block C Northwest Hills Sec. 14-B Parcel No. 1-3702-0405	Land	\$11,090	\$11,090
Lot 4, Block C Northwest Hills Sec. 14-B Parcel No. 1-3702-0406	Land	\$ 3,390	\$ 3,390
Lot 2, Block J Northwest Hills Sec. 14-B Parcel No. 1-3702-0605	Land	\$ 4,460	\$ 4,460
Lot 15, Block H Northwest Hills Sec. 14-B Parcel No. 1-3702-0511	Land	\$ 3,890	\$ 3,890
Lot 1-B Resub. of Lot 1, Block J Northwest Hills Section 14-B' Parcel No. 1-3702-0607	Land	\$ 2,970	\$ 2,970

<u>Parcel Identification</u>		<u>Assessed Value Fixed by Board</u>	<u>Council Action</u>
8.981 Acres Geo W. Davis Survey Parcel No. 1-4103-0101	Land	\$50,520	\$ 50,520
23.81 Acres Geo W. Davis Survey Parcel No. 1-4103-0106	Land	\$133,930	\$133,930
19.58 Acres James M. Mitchell Survey Parcel No. 1-4303-0702	Land Imps.	\$95,450 \$ 9,970	\$95,450 \$ 9,970
Lot, Block A Northwest Hills Sec. 1 Parcel No. 9-1-3309-0202	Land	\$ 4,490	\$ 4,490
Lot 2, Block B Northwest Hills Sec. 3 Parcel No. 9-1-3410-0314-31	Land	\$ 1,130 ea.	\$ 1,130 ea.
22 Acres T. J. Chambers Grant Parcel No. 9-1-4210-0105	Land	\$33,000	\$33,000
12.492 Acres T. J. Chambers Grant Parcel No. 9-1-4210-0112	Land	\$18,740	\$18,740
3.66 Acres T. J. Chambers Grant Parcel No. 9-1-3613-0102	Land Imps.	\$68,440 \$ 1,580	\$68,440 \$ 1,580
7 Acres Joseph Scott Survey Parcel No. 9-1-5313-0102	Land	\$ 6,300	\$ 6,300

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: Noes

Councilman Nichols moved the Council sustain the Board of Equalization and set the assessed value on the following property:

C. Dean Davis

-

Tract R, Western Hills Subdivision

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

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

Noes: None

ENVIRONMENTAL BOARD REPORT

Mr. Russell Fish, member of the Citizen's Board of Natural Resources and Environmental Quality, presented the proposed Austin Environmental Policy Ordinance dated the 15th day of January 1973, which had been approved by the Citizens Board. He asked that the City Council consider enactment after due public hearings and discussions. City Manager Davidson pointed out the Council would want him and his staff to be able to completely explain all aspects, relate the cost of enforcement or any increased costs in the projects that might result from such an ordinance; and at this time his study was not complete. He asked the Council to give him more time to work with the Departments and review the C.I.P.

Councilman Lebermann asked that the Council have a report by March 8th from the City Manager; and that the report be accepted and that a public hearing be established two weeks from today at 2:00 P.M., March 22, 1973.

Mr. David Barrow, member of the Board, said he had advocated that the Board itself hear people interested in the particular subject before arriving at a conclusion in connection with the particular proposed ordinance. He stated the Board did not call on public input in their deliberations. Councilman Lebermann stated the Board had reviewed this material and passed it to the Council. Now it is the sense of the Council that on the 8th there will be a summary report from the City Manager, and it will have the additional input from the Citizens Board; and then the Council would move to a public hearing.

Mr. Wolfe, Chairman of a sub-committee on the Citizens Board, stated he also had no chance to review the recommendation.

Mayor Butler suggested that the groups could meet with Mr. Wolfe's committee as a whole and that his committee and the citizens groups would be better prepared and informed when the Council holds the regular hearing. The Mayor stated if Mr. Fish would set a convenient time for his hearing, the Council would take the responsibility of getting interested people notified to attend this meeting.

Mr. Fish said they would have additional meetings, and that the City Manager would be notified when the meeting would be held. Mayor Butler thanked the gentlemen.

DRAG AREA

Mr. Dale Watkins, a drag vendor, spoke on behalf of some of the drag vendors and "Friends of the Drag Vendors". He gave a brief report on the petition the vendors are getting signed, stating that they have about 15,000 signatures. He asked the Council to enact their ordinance without its having to go to a vote of the people.

Mr. Watkins stated there was the issue of discrimination in enforcement. Councilman Lebermann encouraged Mr. Watkins to report any violations of this ordinance, stating he would be gratified at the response if he would simply report the violations either to the Manager's Office or the Police Department. Mr. Watkins alleged since the vendors are gone, the return of drug sales and panhandlers showed up. On these grounds, he asked the Council to repeal its present ordinance and put into effect the vendor's ordinance. Mayor Butler asked Mr. Watkins why he did not report the drug sales violators.

No one else was present to make any statements on these items.

DISCUSSION POSTPONED - NO FARE BUSES

Mr. Michael Eakin will appear at a later date to discuss a no fare mass transit system.

RECOGNITION

Mayor Butler recognized two guests in the Audience, Mr. Volma Overton and Mrs. Lynn Carter. The Mayor read the Proclamation declaring the week of February 11th through the 17th as "Negro History Week" in Austin, in recognition of outstanding contributions of the fellow black citizens and urge that all citizens join in recognizing them and their work. Mr. Overton and Mrs. Carter invited the Council to attend the observances planned.

APPEARANCE OF CITY WOMEN'S CAUCUS

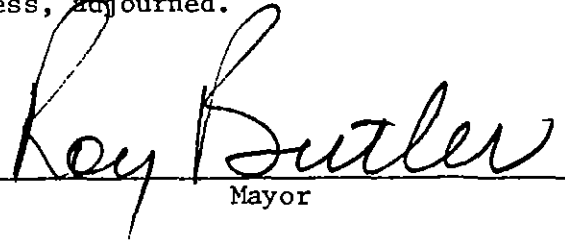
Ms. Nancy J. Hutchison, Mx. Judy Smith, and Ms. Rita Starpattern, representing the City Women's Caucus, appeared before the Council to present findings of their organization on several items: employment of women, birth control and abortion, day care and rape. She felt there should be more employment of women and ethnic groups in the higher job classifications. As for birth control and pregnancy tests, Planned Parenthood has 4,492 patients and 7 to 10 day waiting period because of overcrowded conditions. The overflow goes to the Free Clinic, which sees 80 women on the two nights that they are open. Relative to abortion, it would be possible for Brackenridge to do this now, and they should have a vacuum aspirator for simple treatment. In the treatment of rape, it is necessary for women to pay \$40 in emergency room and medical fees. Ms. Starpattern recommended that rape examinations be free. Dr. Dryden suggested local City doctors should do the examinations as they would be available to testify in Court. Information on day care revealed that facilities are presently available for only 23% of the under 5 child population in Austin. East Austin particularly needs day care, thus allowing many welfare mothers to work.

Councilman Lebermann stated the City Women's Caucus had made a thorough presentation, but the Council had not had time at this moment to study the recommendations set out.

ADJOURNMENT

The Council, having no further business, adjourned.

APPROVED: _____

A handwritten signature in cursive script, reading "Roy Butler", written over a horizontal line.

Mayor

ATTEST: _____

City Clerk