

## Colony Park: Prudent and Deliberate Planning

By

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## Colony Park: Prudent and Deliberate Planning<sup>1</sup>

*“Now is the accepted time, not tomorrow, not some more convenient season. It is today that our best work can be done. Today is the seed time, now are the hours of work, and tomorrow comes the harvest and the playtime.”* WEB du Bois

For several decades now, Colony Park and Lakeside, the Northeast Austin communities remain landlocked to the north with residents having to travel several miles in order to receive medical attention, buy groceries, or attend to their banking needs. Transportation is problematic where those using buses to get to and from their place of employment; lack consistency and destination reliability. There is a lack of code enforcement, with weeds growing as high as two feet in some places, trash and dumping, and other major violations. Most often, the neighborhoods are unsafe. Everything from criminal activity; such as, drugs, gangs, and break-ins exist in the community<sup>2</sup>.

Census data taken indicates a population ages 0-24 years old are living below the poverty line, 56% of youth ages 0-24 with income below the poverty level are Hispanic or Latino, African Americans fair no better<sup>3</sup>. In fact, when comparing the Median Household income by race and ethnicity, Hispanic or Latino living in the Census tract 22.01 is \$27,596.00 per household, and \$42,313.00 for African Americans living in the same tract,<sup>4</sup> City of Austin’s Median Family Income is \$62,000; a \$20,000-\$30,000 difference.<sup>5</sup> According to recent health records, those living in Colony Park and surrounding communities “experience the highest mortality and morbidity rates” in the City of Austin.<sup>6</sup> Historically, communities East of Interstate Highway 35 (IH-35) have been left out of real economic growth and development.

Blighted, ignored and isolated, the Colony Park neighborhood was once a thriving community; a place where residents enjoyed the sprawling hills and the view of the capitol. Annexed in 1972, Colony Park and surrounding neighborhoods were built to accommodate families stationed at Bergstrom Air Force Base (1942–1993), a United States Air Force base that was located seven miles southeast of downtown Austin, Texas<sup>7</sup>. Other families moved to the Colony Park

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<sup>2</sup> Colony Park Neighborhood Association: Problem and Position Statement, March 2012

<sup>3</sup> Sustainable Community Initiatives: Community Profile City of Austin, Neighborhood Housing and Community Development Department

<sup>4</sup> Community Profile, pg. 13-14

<sup>5</sup> Ibid. pgs. 13-14

<sup>6</sup> Community Health Assessment Austin/Travis County Texas, 2012 <http://www.austintexas.gov/healthforum>

<sup>7</sup> <http://www.austintexas.gov/department/history-airport>

community to start families and enjoy the quiet landscape, and new affordable homes. Longtime resident Barbara Scott moved to Austin's Colony Park because there were new homes and it was affordable. Another longtime resident, Helen Miller, remembers the landscape and how beautiful everything was. You could see the capitol from here.<sup>8</sup> They both recall Colony Park was a place where you could enjoy a walk, talk to neighbors and just enjoy the quiet beauty of it all. So what changed?<sup>9</sup>

### **Migration and Relocation: Expansion East to Colony Park**

Movement toward what is now Colony Park may have resulted in part because of the "loosening of the reigns and the declaration of slum conditions" from the historic Negro District<sup>10</sup>. Also, in the 1960's, several factors contributed to the expansion East; 1) urban renewal, 2) major companies moving to Austin, 3) 1964 and 1968 Civil Rights Acts, 4) major real estate development companies building track homes in East Austin rather than single lot development, 5) and redlining of the Historical Negro District and limited home ownership opportunities West of Interstate Highway 35 (IH-35).

Urban Renewal Projects and adjacent communities were focused on the removal of slum and blighted conditions, which resulted in many dwellings being demolished and the displacement of individuals and families. As a matter of clarity, some have seen "gentrification" as an outgrowth of urban renewal.<sup>11</sup> As noted by Professor Tretter of UT Austin, "the process of urban renewal was controversial<sup>12</sup>." Austin, like the rest of the nation protested in its own way. The election results of December 5, 1959 show a slight margin with a total of 6,790 votes cast; 3421 voted "yes" and 3369 voted "no" to urban renewal. Some in Austin believe the imposition of urban renewal policies and practices only achieved the re-institution and re-establishment of the City of Austin 1928 Plan, where there was no real or achieved equal representation nor modern or diversified communities.

During this same period, major companies moved to Austin, such as IBM around 1967; Texas Instruments in 1969; and, Motorola coming later in 1974<sup>14</sup>. Employment opportunities for African Americans increased with these companies thus allowing for increased incomes and the ability to move beyond Central East Austin and the historically designated Negro districts of the past. With the passage of the 1964 Civil Rights Act and the 1968 Civil Rights Fair Housing Act, together, these two Civil Rights legislative actions helped open doors for equal opportunities for all people of color. While Austin did not initially adopt the 1968 Civil Rights

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<sup>8</sup> Interview and conversations with Barbara Scott and Helen Miller

<sup>9</sup> Conversations and research questions with Melvin G. Wrenn

<sup>10</sup> City of Austin Plan 1928

<sup>11</sup> Prof. Eliot Tretter, University of Texas at Austin

<sup>12</sup> Prof. Eliot Tretter, University of Texas at Austin

<http://www.austinpost.org/article/gentrification-101>

<sup>14</sup> Texas State Historical Association; A Digital Gateway to Texas History; David C. Humphrey

Act, the expansion for African Americans from the Negro District had in the past followed a loose eastern pattern like the Springdale Addition in 1947 with only 1-to-4 lots<sup>16</sup>. As well, only a few lots were developed in Marlo Heights and Oak Springs in the 1960's<sup>17</sup>.

Change came with Stone Gate off of Webberville Road was developed by one of Austin's major developers at the time, Nash Phillips of Austex Development Company. This was the start of home track development and sales with 51 acres in 1964-65. Crossing over 183, Walter R. Carrington a notable Austin builder, developed over 34 acres to create Cavalier Park<sup>18</sup>. Craigwood was the second community planned, platted and developed east of 183 with 24.08 acres in 1970 by Nash, Phillips' Austex Development Corporation<sup>19</sup>. By 1972, there was increased development and the design Phase I-II of Colony Park by Lumberman's Investment Corporation.<sup>20</sup>

On December 13, 1978, 15.628 acres in the Springdale Addition started the modern day development of this community. As stated, Urban renewal pushed people out of the Central East Austin community, including the old Negro District. The natural migration was to communities in East Austin's MLK District and beyond.

The combined MLK Neighborhoods included Craigwood; Cavalier Park; Lower Tannerhill; Ft. Branch; Stonegate/Oaklawn; Marlo Heights; Oak Springs; Oriens Park; Pecan Springs; and, Springdale Addition. All had extensive flood plain and environmental challenges<sup>21</sup>. All, with the exception of Pecan Springs, were limited in development growth opportunities because of environmental constraints. This movement east ultimately paved the way for the development of Colony Park and Lakeside communities.

## **Racial and Social Engineering: Cultural DNA and the Roots of Segregation**

By the 1920's and 1930's, many cities throughout the nation, had to deal with urban planning, land policies and population growth, including the urban squalor, blight and decay

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<sup>16</sup> Travis County Appraisal District Records; Springdale Addition Jan 47, Paul O. Simms; 12/14/59, Lots 1-4, Elias V. Hernandez

<sup>17</sup> Travis County Appraisal District Records

<sup>18</sup> Development Association, Inc.; Walter R. Carrington, President; 5/8/68 14.88 acres; 3/9/71 9.809 acres; and, 5/31/72 10.36 acres

<sup>19</sup> Reference #6

<sup>20</sup> Vol. 60 Page 75, Plat Record, Travis County, Texas

<sup>21</sup> East MLK Neighborhood 2001 Plan

facing populations segregated, marginalized due to poverty, discrimination and segregation.<sup>23</sup>

Like many cities in the United States, Austin had to come up with a plan to deal with their unique history of Freedman's communities that were, for all intents and purposes, scattered throughout its geographical area and surrounding borders, but separated and unequal.<sup>24</sup> Populated by mostly blacks, these Freedman's communities had separate schools, hospitals, barbershops, businesses and churches. "Pressures stemming from the expansion and growth of Austin during the early 1920's, the City government had to decide whether expansion and growth would include the Freedman's communities." The City's White elite and influential class therefore commissioned engineers, Koch and Fowler to design a plan to deal with the "Negro problem."<sup>25</sup> Thus the master plan was formally adopted, and along with government city officials and the influential cultural elite, oversaw the engineering plans to ensure segregated placements of freed slaves and Mexican Americans East of I-35.<sup>26</sup>

### **Zoning: A New Business Plan Model to Segregate the Negro Community**

*"Experience has shown that where a zoning ordinance is based upon the safety and health of the community and is broad and comprehensive in its requirements, there is very little chance of its being declared unconstitutional."<sup>27</sup>*

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<sup>23</sup> These urban cities had to develop plans that included; Churches and schools Colleges and hospitals Neighborhood, organizations Relief Parks and playgrounds Streets and alleys, Traffic circulation Parking Gas, water, electricity, and sewers Street lighting Fire protection Planting and landscaping

<sup>24</sup> Austin Texas (Travis County) The Handbook of Texas online David C. Humphrey, "AUSTIN, TX (TRAVIS COUNTY)," Handbook of Texas Online (<http://www.tshaonline.org/handbook/online/article/hda03>), accessed April 12, 2014, Uploaded on June 9, 2010. Modified on July 7, 2010. Published by the Texas State Historical Association. Texas as a southern confederate state, was faced with a history where "emancipated blacks established the residential communities of Masontown, Wheatville, Pleasant Hill, Gregory Hill, Springville, Robertson Hill, and Clarksville" known as freedmen communities.

<sup>25</sup> Michelle Mears, Ph.D. African American Settlement Patterns, 1865-1928 (2009)

<sup>26</sup> Location of freedman's communities boundaries (map of 1928-historical Center) Street lighting Fire protection Planting and landscaping, income, occupation Health Population density-Churches and schools Colleges and hospitals Neighborhood organizations Relief Parks and playgrounds Streets and alleys, Traffic circulation Parking Gas, water, electricity, and sewers Street lighting Fire protection Planting and landscaping, income, occupation Health Population density-Transportation Commercial

<sup>27</sup> City of Austin 1928 Plan, pg. 69

To deal with the dilemma of separate and unequal, marginalized communities, and rather than keep paying for separate black schools, hospitals, and policing of the Freedman's communities; the report filed by Koch and Fowler with the support of the City Plan Commission, recommended the City Council relocate the "Negro" population and confine them to the eastside of 'East' Avenue. Called the "Negro District", the City of Austin's social and cultural elite, including the mayor, city manager, engineers, began to implement the planning of the 1928 City Plan of Austin<sup>28</sup>. This archaic plan became the "footprint" of the City of Austin and its legacy is the contemporary and overriding influence of Austin's housing, health and safety, education, cultural, urban and community development. Prepared for the City Plan Commission in 1928, most infamously institutionalized racial segregation. The racial barrier created in that plan was later set in concrete...<sup>29</sup> What was troubling and the "tipping point" of this particular plan, though, was the "prudent and deliberate" *zoning* ordinance structured to "skirt" around the de-segregation laws.

The City of Austin 1928 Plan specifically stated, "At the last session of the Texas Legislature an enabling act was passed, permitting cities to control the nature of their growth through zoning. This method of safeguarding the property owners and the control of the nature of the growth of the city has become very popular throughout the United States during the past few years. In framing their ordinances in such a manner that they would not be declared unconstitutional by the courts. We have, today, a wealth of court decisions which are tending to uphold the principle of zoning as applied to city building".<sup>30</sup> "A zoning ordinance, to be constitutional, must be based upon the *police* power of the city."<sup>31</sup>

Structuring the plan this way, gave the City of Austin, particularly the "police" a way to "corral and herd." Vagrant and curfew laws restricted the movement of Blacks as well as Mexicans. In fact, prior to the 1920's "Austin passes its first ordinance governing slavery by establishing a 10 p.m. curfew for slaves and forbids 'any white man or Mexican' from 'making associates' of slaves. To secure and isolate the movement of Blacks and Mexicans, the white community expelled "most Hispanic residents from Austin charging that "Mexican-Americans associate too familiarly with slaves and instill "false notions of freedom."<sup>32</sup>

The corralling and herding of Austin's Blacks to isolated and depressed neighborhoods continues to this day. The "blueprint" or "DNA" was carved out in 1928; the policies and laws remain intact. The community as a whole is a victim of ghetto style "City" maintenance where very little

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<sup>28</sup> 1928 City Plan Commission; W.T. Caswell, Chairman, H.F. Kuehne, Vice-Chairman, W.J. Battle, Lyman J. Bailey, Murray Ramsey, Gillespie Stacy, Miss Fannie Andrews, Mrs. Hal Sevier, and W.H. Richardson

<sup>29</sup> The Austin Chronicle; Austin Comp Planning: A Brief History; Katherine Gregory, Feb. 5, 2010 © 2014 Austin Chronicle Corporation. All rights Reserved.

<sup>30</sup> City of Austin 1928 Plan, pg. 68

<sup>31</sup> City of Austin 1928 Plan, pg. 69

<sup>32</sup> Annals of Frank Brown-Chapters 14-16 1840-1854

is done to correct the negative conditions. The faces of the mayor and city council members including the surrounding landscape might have changed, but the process has remained the same. Colony Park residents and community members have travelled several times to City Hall to bring forth their request to help change the direction of poverty, neglect, and race hatred. But as in the past, pleas have been ignored and demands have been tabled for another day.

## **HUD Community Challenge Planning Grant: A Pilot Project**

*“...our 2010 comprehensive planning....has been a recurring one for nearly a century now.” History shows us that many of Austin’s most vexing problems remain remarkably consistent, although fashions in addressing them change.”<sup>34</sup>*

Everyone wishes to have the basic and fundamental needs to have a prosperous “quality of life.” Employment, a decent wage, housing options, health, safety, quality education for the children, and a “place to age and pass on to the next generation” are all basic amenities that would afford any community or resident an opportunity to have “a glimmer of hope” for the future. Instead, Colony Park, a community in Northeast Austin represents the new isolated, segregated, separate and unequal communities of color like the 1800’s Freedman’s communities.<sup>35</sup>

While Austin’s public image is one where the community is portrayed as diverse, liberal, environmentally sensitive, and considered one of the top 10 places to live in the country, the historical facts of Colony Park dispels this urban tale.

The racial and social engineering of the past threatens to rear its ugly head if planning for the 208 acres is not taken seriously by the current City Council, City Manager and Mayor. Back in 1928, “the City Council shall have power to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes.”<sup>36</sup> The needs of yesteryear and the needs of today remain the same; “better streets and sidewalks, meeting the growing city’s demand for water and electricity, and providing funding to pay for it all.”<sup>37</sup>

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<sup>34</sup> The Austin Chronicle; Austin Comp Planning: A Brief History; Katherine Gregor, Feb. 5, 2010 © 2014 Austin Chronicle Corporation. All rights Reserved.

<sup>35</sup> City of Austin Council Meetings; January-December 1927, January-December 1928

<sup>36</sup> The Austin Chronicle; Austin Comp Planning: A Brief History; Katherine Gregor, Feb. 5, 2010 © 2014 Austin Chronicle Corporation. All rights Reserved.

<sup>37</sup> Ibid.

Yet, on January 4, 2012 when the residents and community first heard about the 3 million Housing and Urban Development (HUD) Sustainable Grant awarded to the City of Austin to plan the development of 208 acres in Colony Park and five census tracts surrounding communities, the announcement came without the knowledge of the residents and community; this set a firestorm reminiscent of times past.

Like decades before, there was no outreach to the community prior to the writing of the HUD grant. Rather, as one City staff mentions, “we wanted to paint a broad picture.”<sup>38</sup> And like decades before, the view of “community” had been painted as inherently related to poverty alleviation, neighborhood improvement, and the pursuit of a hopeful vision of the City.<sup>39</sup> What was made clear to the Colony Park neighborhood and community, “once again the City defined “community” with the same cultural mindset of the City of Austin 1928 Plan. Rather than seeing Colony Park residents as people experiencing isolation, the City’s perspective implied what is missing in “community”; therefore “we (the City) must help “them”, the “other” to reduce poverty. There was no hint in this broad portrayal that once the funds would be made available; that the Colony Park residents and community would share in the planning of “their” community. Initially, there was no incorporation of the voices of the community, rather the “community” was perceived as “threatening” and “loud.”

The cultural DNA rooted in the 1928 Plan has been transplanted into the patterns and policies created long ago. The City did not see itself as having created the “poverty” by segregating, corralling and herding African Americans East of I-35. “We will always have poverty unless ‘we’ (the City) build more low-income housing and more ‘dollar’ stores”<sup>40</sup>. A “city” in denial of its past and the continued set of practices and policies will continue if there is no shared responsibility.

## **Shared Responsibility**

*All history, the saying goes, is contemporary history, in the sense that historical interpretation both reflects and shapes the world in which we live.* Eric Foner<sup>41</sup>

The plan to develop 208 acres in Colony Park and the surrounding five census tracts is a reminder that African Americans and other people of color in the City of Austin are still fighting for equality, a decent home, and a vibrant and safe community, a place to grow old and preserve for the next generation.

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<sup>38</sup> March 9, 2012 “reflection notes” Margarita Decierdo

<sup>39</sup> Audited course with Dr. Mueller, UT Austin, discussion points Frazier, pg. 317

<sup>40</sup> March 9, 2012 “reflection notes” Margarita A. Decierdo

<sup>41</sup> Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction*, 2006



The Colony Park Neighborhood Association and City departments like the Neighborhood Housing and Community Development have been instrumental in shaping a new narrative, one of shared responsibility.

For over two years now, the residents and community of Colony Park (CP), NHCD, and Farr & Associates and Urban Design, have shared in discussions, made decisions together and have developed work plans that have moved the planning process forward. Weekly meetings have been held with City departments, non-profit organizations, public school administrators, as well as community groups. In any given week, representatives from various organizations like the Andy Roddick Foundation, Cap Metro, Community Care Collaborative, Austin Resource Recovery, Planning and Budget Office of Travis County, Austin Independent School District (AISD), Parks and Recreation, and the Forestry Department have shared their resources with us by providing ways in which collaboration and planning for the 208 acres can benefit the community. Members of the Colony Park Neighborhood Association have also participated in conferences in New Orleans and Washington D.C. where in most cases have been the only Neighborhood representatives to attend.<sup>42</sup>

This shared responsibility has generated collaborative thinking and brainstorming on how to help transform a community that has long been forgotten. The outcomes of such efforts have led to developing a Public Engagement Plan<sup>43</sup> model which has brought in the University of Texas Division of Diversity and Community Engagement, including Austin Community College Service Learning Center. Together, these two institutions have provided a student learning project where Colony Park and the planning process have been used to foster civic engagement and provide students with critical organizing skills.

Tragically however, as in the past, the City Council and the Mayor have been absent. While the City Manager has interacted with Farr & Associates and Urban Design and spoken at a weekly meeting, he has not charged all departments to make Colony Park/Lakeside a priority. There is no champion at City Hall. Rather, like many community advocates of the past Dorothy Turner, Volma Roberts, and now a Core Team of dedicated Colony Park residents continue to voice their concerns about the need for hospitals, grocery stores, reliable transportation, basic amenities and a place to call home.

Remaining and outstanding at the time of this writing is the support from City Council and the City Manager, as is being done with Seaholm and Mueller redevelopment projects; and, Council directing the City Manager to: 1) charge the appropriate departments in securing access to the north and west for the 208 acre tract; 2) to analyze the economic impact and benefit to the 208 acres if a PGA Golf Course is built and the Expo Center is repurposed; 3) to provide the Council

<sup>42</sup> Conferences sponsored by Institute for Sustainable Communities

<sup>43</sup> Public Engagement Plan written by Colony Park Neighborhood Association (Copyright © 2012 All Rights Reserved), provided to the NHCD and the University of Texas Division of Diversity and Community Engagement for public outreach purposes.

with a process for equal participation of the two existing communities on the west and east with the proposed PUD; and, 4) allocating resources, funding and take specific action to insure the creation of a TIF or alternative financing plan.

Political power has to be a shared responsibility. Planning and development of neighborhoods and communities should never be about “business as usual,” where communities of color are treated as separate, unequal and places for the unwanted. Rather, it is about the human condition and suffering that begs us to call on our moral and ethical conscious.