



## Austin City Council MINUTES

For JULY 18, 1985 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

### City Council

Frank C. Cooksey  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

Council Members  
Mark Rose  
Smoot Carl-Mitchell  
Sally Shipman  
George Humphrey  
Charles E. Urdy

Jorge Carrasco  
City Manager

Elden Aldridge  
City Clerk

### Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Councilmember Shipman.

### MINUTES APPROVED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, approved the Minutes for the Regular Meeting of July 11, 1985 and Special Meeting of July 9, 1985. (6-0 Vote, Councilmember Shipman absent)

### ANNEXATIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, passed through THIRD READING of ordinances annexing the following: (6-0 Vote)

- a. Approximately 390 acres of land out of Travis County and Hays County, Texas, Oak Hill Heights Section Four and Five and unplatted land, Breezy Pass Cove, Portions of Bird View Blvd., Wolfcreek Pass and along FM 1826, for full purposes. (C7a-85-004 - Phase I - Hwy. 290/FM 1826 Corridor)
- b. Approximately 46.38 acres of land out of and a part of the Thomas Anderson Survey No. 90, and the Jesse Williams Survey No. 62 in Travis County, along U. S. Highway 290 West, said property currently being located within the limited-purpose boundaries of the City of Austin, for full purposes. (C7a-85-004 - Phase I - Hwy. 290/FM 1826 corridor)
- c. Approximately 306.00 acres of land out of and a part of Hays County, Texas, along FM 1826 for full purposes. (C7a-85-005 - Phase II - FM 1826 Corridor)

## ANNEXATIONS

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, passed through SECOND AND THIRD READINGS of ordinances annexing the following: (6-0 Vote)

- a. Approximately 406 acres of land out of Hays County along FM 1826 and FM 150 for full purposes. (C7a-85-006 - Phase III - FM 1826/FM 150 Corridor)
- b. 790 acres of land out of Travis County, portion of the Colorado River and unplatted land (Colorado River Annexation, Phase I, C7a-85-013) for full-purpose.
- c. 590 acres of land out of Travis County, portion of the Colorado River and unplatted land (Colorado River Annexation, Phase II, C7a-85-014) for full-purpose; exclusive of any land which the City of Austin has been enjoined from annexing by court order.
- d. 610 acres of land out of the H. T. Davis Survey No. 30, the Lucas Minos Survey No. 55, and the William H. Sanders Survey No. 54, portion of U. S. Highway 290 East, Giles Lane, Boyce Lane, and Cameron Road, in Travis County (U.S. Highway 290 East/Cameron Road Annexation, C7a-85-016) for full-purpose.
- e. 420 acres of land out of Travis County, including portions of Cameron Road, Schmidt Lane, and F.M. 973 (Cameron Road/FM 973 Annexation, C7a-85-017) for full-purpose.
- f. 710 acres of land out of the James Burleson Survey No. 19, the Phillip McElroy Survey No. 17, the Joseph Duty Survey No. 20, the O. Buckman Survey No. 40, the James H. Manning Survey No. 37, portions of F.M. 969, Taylor Lane, and Lockwood Drive, in Travis County (FM 969 Annexation, C7a-85-018) for full-purpose.
- g. 270 acres of land out of the Santiago Del Valle Grant, generally east and parallel to Fallwell Lane and north and parallel to Pearce Lane, excluding WCID No. 12 (Pearce Lane Annexation, C7a-85-019) for full-purpose.

## ITEMS PULLED

Two ordinances and one resolution concerning Historic Landmark Preservation Task Force moratorium on the issuance of demolition and move-off permits for historic structures, and creations of Historic Preservation Task Force to review City's procedures, were pulled off the agenda. They are to be sent to the Landmark Commission for comment and then to the Planning Commission before bringing them back to Council.

## CONSENT MOTION FOR ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (6-0 Vote, Councilmember Shipman absent)

Public Utility Easement

Released the Public Utility Easement retained at the vacation of Radam Lane at James Casey Street as recorded in Volume 7164, Page 489, of the Travis County Real Property Records.

Item Postponed

Consideration of creation of an Economic Development Commission has been postponed until July 25, 1985 when a public hearing will be held at 2 p.m.

Zoning Ordinances

Amended Chapter 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following changes:

- a. ROBERTA REED BURNS                      818 & 820 West 10th                      From "MF-4" to "LO"  
By John Anderson  
C14-84-458

Heard and granted March 7, 1985, (6-0). Conditions have been met as follows: Certified field notes describing the property being rezoned have been provided.

- b. CROW-GOTTESMAN-SHAFER                      12406 Burnet Road                      From "GR" to "CS-1"  
#21  
By Chol Kim  
C14r-85-083

(5-0 Vote, Mayor Pro Tem Trevino abstained, Councilmember Shipman absent.)

Heard and granted June 13, 1985, (6-0). Mayor Pro Tem John Trevino, Jr. absent. Conditions have been met as follows: Development restricted to that shown on site plan attached to Exhibit "A" to the ordinance.

- c. NORCLIFFE                                      1009 Edgecliff                                      From "SF-3" to  
By City of Austin                                      "SF-3-H"  
C14h-82-010

Heard and granted February 3, 1983, (5-0). No Conditions to be met.

- d. CITY OF AUSTIN 601-603 West 8th St. & From "GR-H" to  
By Office of Land 704-706 Nueces Street "GO-H"  
Development Services  
C14-86-075 (5-0 Vote, Mayor Pro Tem Trevino abstained,  
Councilmember Shipman absent)  
85  
Heard and granted June 13, 1985, (6-0). Mayor Pro Tem  
John Trevino, Jr. absent. No conditions to be met.

- e. CITY OF AUSTIN Darlington Lane, From Interim "SF-3"  
By Office of Land Rexford Drive, to "SF-2" & "SF-3"  
Development Services Cordell Lane, Chevy Circle,  
C14-82-177 Carlington Cove, Norwood  
Hill Road, Marymount Dr.,  
Wayborne Hill Dr., Norwich  
Cove, Dresden Cove, Preswyck  
Dr., Woodbriar Lane, Ameswood  
Dr., Claymoor Dr., Tipton Dr.,  
Pendleton Lane, Basswood Lane,  
Medford Drive, Halmark Dr.,  
Gladstone Dr., Beechmoor Dr.,  
5500-5509 Chadwyck Dr., 5400-  
5610 & 5401-5611 Gloucester  
Lane, 2913-3425 Rogge Lane,  
2910-2912 & 2911-2913 Overdale  
Road, 2960-3114 E. 51st Street,  
2932-3035 & 2918-3036 Pecan  
Springs Road and rear of 3300-  
3508, 4707-4805 & 4813-5015  
Pecan Springs Road, 4710 & 5200-  
5338 Springdale Road, 5100 &  
5105 Highbury Lane.

Heard and granted January 6, 1983, (7-0). No conditions  
to be met.

- f. GLEN KALLMAN 421 R. R. 620 South From Interim "SF-2"  
By Conway & Assoc., to "LO"  
Inc.  
C14r-85-016

Heard and granted May 2, 1985, (6-0). Conditions have  
been met as follows: Development restricted to that shown  
on site plan attached as Exhibit "A" to the ordinance.

- g. DONNIE R. & JUDY A. 4915 Maufrais From Interim "SF-2"  
STEVENS to "SF-3"  
By Donna H.  
Kristaponis  
C14-85-096

Heard and granted June 27, 1985, (7-0). No conditions  
to be met.

h. JERRY D. ANGERMAN,  
JAMES H. JOHNSON &  
JACK GORMAN  
C14-84-281

3423 & 3425 Mirmie  
Street (7701 or 7703  
Brodie Lane)

From "SF-3" to "LR"

#### ITEM PULLED

Consideration of an exemption request from the Austin Independent School District to purchase wastewater taps was pulled from the agenda until a later date.

#### NUTRIENT ASSESSMENT STUDY

Jim Thompson, Director of Water and Wastewater, reported on Nutrient Assessment Study of Colorado River.

##### Capital Improvement Program Budget Amendment

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance amending the 1984-85 Capital Improvements Program Budget by appropriating \$117,000 scheduled for 1985-86 under the Advanced Wastewater Treatment Improvements Program to conduct a nutrient study of the Colorado River below the City of Austin. (6-0 Vote, Councilmember Shipman absent.)

##### Professional Services Agreement

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving a Proposed Professional Services Agreement between the City of Austin and the University of Texas at Austin for a Nutrient Assessment Study of the Colorado River below the City of Austin. Capital Improvements Program No. 85/21-03. (6-0 Vote, Councilmember Shipman absent)

#### ITEMS TO BE BROUGHT BACK

Consideration of an ordinance allowing boat dock construction in the 100 year floodplain along the shorelines of Town Lake, Lake Walter E. Long and Lake Austin, without requiring a City license agreement, will be brought back on July 15, 1985, making it clear it does not require Council approval.

-----  
The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, voted to consider an ordinance establishing interim controls for the issuance of sign permits on July 25, 1985. (6-0 Vote, Councilmember Shipman absent)

## CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Shipman absent)

Pipe Line Agreement

Entered into a pipe line agreement with the Missouri-Kansas-Texas Railroad Company for placement of an eight inch (8") sanitary sewer pipe across Missouri-Kansas-Texas Railroad's right-of-way to serve the proposed Beacon Hill Subdivision.

Release of Easements

Authorized release of the following easements:

- a. The Public Utility Easement on the common lot line of Lots 7 and 8 Morningside Addition Section 2, 5602 Bennett Avenue. (Request submitted by Ms. Anne M. Ramos)
- b. A portion of the Sanitary Sewer Easement recorded in Volume 1819, Page 275, of the Travis County Real Property Records, South Austin Hospital. (Request submitted by Mr. James Grant on behalf of the Hospital Corp. of America)
- c. A portion of the 6' Public Utility Easement on Lot 4-A, Resubdivision of Lot 4, Courtland Place III-A, 905 Park Plaza. (Request submitted by The Whitney Company)
- d. The 7.5' Public Utility Easement on Lots 10 through 18, Block JJ, Maple Run Section Five A. (Request submitted by Carlson and Dippel, Inc.)
- e. The Electric and Telephone Easement of record in Volume 6997, Page 909, of the Travis County Real Property Records and located at 1900 and 1902 Benchmark Drive. (Request submitted by Mr. Charles N. Bolding)
- f. The 10' Public Utility Easement on the common lot line of Lots 2 and 3, Enfield X, 1517 Parkway. (Request submitted by Mr. Jerry R. Lee)
- g. The 10' Public Utility Easement across the rear of Lots 10 and 11, Manchaca Commercial Park. (Request submitted by Mr. Gil Johnson)
- h. The Sanitary Sewer Easement on Lot 8, Block A, Western Trails Estate, 4909 Buckskin Pass. (Request submitted by Mr. Jeffrey A. Backaric)

## EASEMENTS - (Continued)

- i. The Drainage and Public Utility Easement as dedicated in Volume 4095, Page 2354, of the Travis County Real Property Records (Subdivision restrictions) and release of the overlapping 7.5' Public Utility Easement as dedicated by Plat note on Lots 1 & 2, Block X, River Oak Estates Section 4, 1011 Chimney Rock Drive. (Request submitted by Mrs. Pauline Canion)
- j. The 7.5 Public Utility Easement on Lot 23, Block A, Cat Mountain Villas Section Two, 4805 Fern Hollow. (Request submitted by Gemcraft Homes)

Change Orders

Approved the following Change Orders:

- a. In the amount of \$93,684.00 to LEIF JOHNSON FORD TRUCK CITY for truck cab and chassis. (7% increase of the original contract)
- b. In the amount of \$52,986.00 to A-TEC, INC. for truck-mounted aerial towers and bodies. (25% increase of the original contract)
- c. In the amount of \$46,797.00 to FLEET BODY EQUIPMENT for truck bodies. (21% increase of the original contract)

Contracts Approved

Approved the following contracts:

- |  |   |
|--|---|
| <p>a. O'NEAL CONSTRUCTION<br/>8711 Burnet Road, Suite A-19<br/>Austin, Texas</p>             | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Construction of vocational training<br/>center located at 2209 Rosewood<br/>Avenue - Public Works Department<br/>Total \$1,135,000.00 C.I.P. No.<br/>84/72-01</p> |
| <p>b. Bid Award:</p>   | <p>- Sale of Surplus scrap newsprint<br/>Public Works Department<br/>Twelve (12) Month Supply Agreement<br/>Estimated total \$85,000.00<br/>85-S678-LI</p>  |
| <p>(1) AMERICAN FIBER MANUFACTURING<br/>COMPANY<br/>1701 Benchmark<br/>Round Rock, Texas</p> | <p>- Estimated total - \$55,000</p>   |

7/18/85

(2) CONSOLIDATED FIBRES, INC.  
4712 Bolm Road  
Austin, Texas

- Estimated total \$30,000

Items Postponed

Postponed until August 1, 1985 consideration of the following contract:

LEWIS CONTRACTORS, INC.  
P.O. BOX 19505  
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM  
Upper Shoal Creek Wastewater  
Interceptor, Phase III, Water  
and Wastewater Department  
Total \$1,020,388.50 C.I.P. No.  
72/23-16

Postponed until July 25, 1985, consideration of the following contract:

HAWORTH, INC.  
c/o/ Environ, Inc.  
917 West Anderson Lane  
Austin, Texas

- Open Office System Furniture,  
Office of Land Development and  
Planning and Growth Management  
Total \$285,211.31 85-0343-DC

Austin Aqua Festival

Approved the Austin Aqua Festival request that Town Lake be lowered a maximum of 8 inches and that the flow be reduced to one-half that of normal on August 10, 1985 and that the lowering of the lake commence after the Water Parade, but not earlier than 1:00 a.m. Saturday, August 10, 1985.

Item Postponed

Postponed until July 25, 1985 consideration of approval of a resolution detailing tasks for the Economic Development Commission.

Hearing Set

Authorized the submission of an application for an Urban Mass Transportation Administration Grant for the acquisition of Southern Pacific and Missouri-Kansas-Texas Railroad and rights-of-way, and setting a hearing for August 1, 1985 at 3:00 p.m.

Set a public hearing on July 25, 1985 at 3:30 p.m. on charging commercial garbage collection rates for portions of East 6th Street and Congress Avenue.



Set public hearings on July 30, 1985 at 4 p.m. & July 31, 1985 at 4 p.m. on "El Mercado" project to apply for UDAG Funding.

#### CHANGE ORDER

The Council, on Councilmember Carl-Mitchell motion, and Mayor Pro Tem Trevino's second, adopted a resolution approving the following change order: In the amount of \$191,500.00 to Prime Computer, Inc. for upgrading of the existing Prime Computer System. (23.65% increase of the original contract)

#### PRESIDENT'S TAX REFORM PROPOSALS

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, adopted a resolution opposing the President's Tax Reform Proposals as they relate to tax-exempt bonds. (5-0 Vote, Mayor Pro Tem Trevino out of the room, Councilmember Shipman absent)

Prior to the vote, Virginia Rutledge, Director of Finance, presented the City Manager report on Impact of Tax Reform Proposal. She said a number of factors could cause great concern for cities. There will be an impact on all bonds issued after January 1, 1986.

Mr. Danny Burger, Texas Municipal Bond Counsel, told Council they should pass the resolution.

#### 1985 LEGISLATIVE SESSION

Dick Brown, Legislative Counsel and Lobbyist for Austin, presented the City Manager report on 1985 Legislative Session.

#### REPORT POSTPONED

Postponed until August 22, 1985 is the City Manager Report on Moore's Crossing.

#### CITIZEN COMMUNICATIONS

Ms. Kathleen D. King, who had requested to discuss traffic safety and traffic control, did not appear.

Mr. Don R. Kuykendall discussed an ordinance regarding the use of nitrous oxide. Staff was directed to work on an ordinance.

Mr. Elmer L. Hixson had withdrawn his request that the property at 5406 Bull Creek Road be rezoned "NO" Neighborhood Office.

## PARADE OF HOMES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, approved the request of Mr. J.R. Howard to discuss Parade of Homes and the 5K Fun Run to benefit children's cancer programs in Austin to be held on July 20, 1985, Saturday. (6-0 Vote, Councilmember Shipman absent.)

## ITEM PULLED

Pulled from the agenda was an item from Councilmember Humphrey, scheduled for 7 p.m., to consider an ordinance amending Chapter 13-13 (Advertising and Signs) allowing the use of advertising searchlights and providing regulations for such use.

RECESS - Council recessed its meeting from 3:20 to 3:35 p.m.

## VARIANCE TO WATERWAY DEVELOPMENT ORDINANCE APPROVED

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, approved the variance request of Mr. Frank Dorr who appealed the decision of the Parks and Recreation Board to deny a variance request to the Waterway Development Ordinance to construct a two-slip boat dock on Lake Austin at 2 Robbins Road. (5-1-0 Vote, Mayor Cooksey voted No, Councilmember Shipman absent.)

## HEARING SET

The Council approved the request of Mr. Richard T. Shuttle Jr., to set a public hearing on a site plan appeal (5406 Bull Creek Road). SP-85-075 for August 8, 1985 at 6:00 p.m.

## CERTIFICATES OF OBLIGATION - 1985

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance considering all matters incident and related to the issuance and sale of \$2,500,000 City of Austin, Texas, Certificates of Obligation, Series 1985, and the passage of an ordinance authorizing issuance of such certificates, by Texas Commerce Bank for 6% for one year. (5-1-0, Councilmember Rose voted No.)

## ACQUISITION OF PARK LAND

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted a resolution acquiring 3.08 acres of land for park purposes. (Land borders the south side of Town Lake just west of IH 35.) (5-1-0 Vote, Councilmember Rose voted No, Councilmember Shipman absent.)

## FAST-TRACK PROGRAM STATUS REPORT

Mr. Richard Ridings reported to Council on the Fast-Track Program Status by means of slides which depict how the program is operated in order to carry through, in a timely manner, CIP projects, and other City services.

## FIRST READING OF ANNEXATION ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, passed through FIRST READING ONLY of ordinances annexing the following: (6-0 Vote)

- a. Davis Springs MUD full purpose annexation of 690 acres in Williamson County, Texas within Austin's ELJ. Conversion from Limited to full purpose 34 acres of land along portions of FM 620 and Tom Kemp Lane. C7a-85-011
- b. Full purpose annexation of 9.7 acres of land out of the John C. Brooke Survey 53 in Travis County, Texas. (Portion of Quail Hollow, Section 6-A) C7a-85-002
- c. Full purpose annexation of 520 acres along the US Hwy. 183 corridor south to Austin's existing five-mile ELJ in Travis County, Texas. C7a-85-021.
- d. Full purpose annexation of Travis Country Subdivision and Mopac Expressway extension from Barton Creek to Hwy. 290 West, 874 acres in Travis County, Texas. C7a-85-022.

## ZONING HEARING

Mayor Cooksey opened the zoning hearing set for 4:00 p.m. on the following case. Council closed the public hearing, granted the zoning request subject to conditions and directed the City Attorney to draw the necessary ordinances.

-84 RETENTION  
334 ENHANCEMENT &  
RECLAMATION CO.  
By T. J. Morton

8100 Block of MoPac

From Interim "A" 1st H&A  
To "O" 2nd H&A  
RECOMMENDED

APPROVED SUBJECT TO THE  
FOLLOWING CONDITIONS:

(Motion made by Mayor Pro Tem Trevino and seconded by Councilmember Urdy, 5-1-0 Vote, Councilmember Carl-Mitchell voted No, Councilmember Shipman absent)

"Move approval of the project schematic plans and associated zoning subject to:

- re-negotiation of the lease on terms acceptable to the City as it relates to term of lease and re-evaluation periods
- contingent on Highway Department
- approval of the turn-around lanes, before the beginning of construction of the second building
- construction of turn-around lanes must be completed before issuance of Certificate of Occupancy of Phase 3
- letter of credit will be required for all public improvements at the time of plat approval

Also approved was the following RESOLUTION:

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted a resolution approving Schematic Plans submitted by Mr. S. Thurman Blackburn, III, President, Retention, Enhancement, and Reclamation Company. (5-1-0 Vote, Councilmember Carl-Mitchell voted No, Councilmember Shipman absent.)

Mr. Jim Duncan, Director of OLDS, reviewed the application. Mr. Stockton, Deputy Director of Urban Transportation, said the proposed driveways onto the access to Steck Avenue, can operate without undo hazard. Richard Ridings, Director of Public Works, said his department has reviewed the drainage situation and there will be an increase of 30% in detention on the tract.

Councilmember Carl-Mitchell told Council this is very intense development and the traffic projection should be taken into consideration concerning the intense use of Steck Avenue at that area of MoPac.

Jack Morton, representing Retention, Enhancement and Reclamation Co., said they will reduce the AFR to .9 and the traffic improvements will be phased in.

Pat Sullivan, Shoal Creek Neighborhood Association, spoke against the development. She said they object because the land is City owned. There were no bids taken from other developers. She asked Council, "Is it wrong to have a greenbelt?" Ms. Sullivan also expressed concern about using detention ponds with a huge complex on each side. She said the planned buildings are too tall; she wondered how equipment can

be gotten on the site and where the workers will park. She wondered what protection there will be from the rains and discussed the already bumper to bumper traffic and what the impact would be on that. She concluded the project is not in the best interest of the community.

Phyllis Brinkley, Allendale Steering Committee, stated the noise, exhaust and traffic hazard will add up to a considerable neighborhood impact situation.

Frank Hoods, Allendale Steering Committee, asked Council to deny the zoning change. He fears that the holding ponds will be disturbed due to increase in impervious cover. Mr. Hoods also discussed the traffic increase.

Mary Kaiser, Allendale Neighborhood Association, said there will be a 33% increase in traffic and cars will circumvent the clogged roads and go through the neighborhood. She also said Shoal Creek will flood because of disturbance of detention ponds. She also asked how the detention ponds will be safeguarded.

Stan Forn, Balcones Civic Association, spoke against the intense zoning.

John German, Balcones Civic Association, told Council there are traffic problems in that area now and they will get worse. There will be no access to the buildings except from the frontage road and the prime areas for getting in and out of the northwest are Spicewood and Steck. He said the development will generate an additional 4000 cars a day at the intersection and there are 15,000 cars now. He said 1000' of the frontage road would be needed for a usable "U" turn.

Nick Brown, Balcones Civic Association, discussed the crowded situation which would arise from the development and said the MoPac-Steck area is overcrowded now.

Bob Leonard, Balcones Civic Association, said this zoning would be illegal and invalid spot zoning. He said there are a lot of office buildings in other areas and taxes will be paid to the City from them. He spoke of the traffic impact to the neighborhood.

Gwen Lomah, Balcones Civic Association, spoke against the zoning change and asked all those in the audience who opposed the zoning to stand.

Jack Morton presented his rebuttal and spoke of the four phases to the building, which will total 297,000 square feet.

Mayor Cooksey asked about the RFP process for the site.

Mr. Ridings told him this was discussed originally but the developer felt building over detention ponds was his original idea and felt it is proper for Council to approve an option agreement.

Mr. Ridings said, "We do not bid a lease, we negotiate." Mayor Cooksey asked about construction and how the detention ponds will be handled during construction. Mr. Ridings told him this can be done much like bridge construction.

Mayor Cooksey asked about traffic and the 1000' additionally needed for approach to turn-around lane. Mr. Stockton told him there are dozens of turn-arounds and an appropriate approach can be done.

Mayor Pro Tem Trevino asked if a 99 year lease is usual. Jorge Carrasco, City Manager, told him that terms generally call for 10% of the property value with a re-evaluation every five years. Mr. Ridings said a 25 year lease is usual. Mayor Cooksey asked if the terms of the lease will come back to Council. Mr. Ridings stated the option has been signed and if it is agreeable they will enter into the contract.

Councilmember Carl-Mitchell asked if .6 can be used. Mr. Morton told him it would not be economically feasible. Councilmember Carl-Mitchell asked if U-turns will be needed if the construction area is reduced to .6. Mike McIntyre, road planner, told him the effects of the golden triangle in the immediate vicinity have not been accounted for.

Motion - Died for Lack of Second

Councilmember Carl-Mitchell made a motion to DENY the zoning application. There was no second to the motion.

Motion - Died for Lack of Second

Mayor Pro Tem Trevino made a motion for re-negotiations. There was no second to the motion.

Recess

Council recessed its meeting at 5:50 p.m. and resumed its recessed meeting at 6:20 p.m.

At this point the motion was made as quoted on page 12 of this report.

Councilmember Carl-Mitchell asked "how will we move traffic on MoPac and surrounding neighborhood?" He said traffic concerns are a key issue in this case. Mr. Carl-Mitchell also said there are too many office projects and thinks this one, if approved, would be more appropriate with FRA .6. He said comprehensive planning needs to be addressed.

## ZONING POSTPONED

Postponed until August 8, 1985 is zoning hearing for change submitted by Larry Beard, 100-300 E. Rundberg, C14-85-071. The hearing is scheduled for 4:00 P.M.

## ZONING HEARING

Mayor Cooksey announced Council would hear the following zoning case. Council heard, closed the public hearing and granted as recommended; and directed the City Attorney to draw the necessary ordinances: (6-0 Vote, Councilmember Shipman absent.)

-85 CITY OF AUSTIN  
186 By Office of  
Lane Development  
Services

Proposed Parmer  
Lane

From Presently process  
of being annexed (no  
zoning yet in place)  
To Tr. 1 "SF-2"  
Tr. 2 "SF-4"  
Tr. 3 "SF-5"

(TR. 4 DELETED)

Tr. 5 "NO"  
Tr. 6 "LR"  
Tr. 7 & 7a "GR"  
Tr. 8 "CS"  
Tr. 9 "LI"  
Tr. 10 & 10a "R&D"  
Tr. 11 "P" (school)  
Tr. 12 "P" (open  
space)

RECOMMENDED

GRANTED AS RECOMMENDED

(On Councilmember Rose's motion, Mayor Pro Tem Trevino's second,  
6-0 Vote, Councilmember Shipman absent.)

PUBLIC HEARING - APPEAL OF LANDMARK COMMISSION CERTIFICATE OF  
APPROPRIATENESS

Mayor Cooksey opened the public hearing scheduled for 4:30 p.m. on an appeal of the decision of the Landmark Commission to deny a Certificate of Appropriateness - C14h-80-023.

David Minter, representing 701 Partnership, reviewed the application by means of slides. His proposed building is at 701 E. 6th Street.

Rick Meyer, Chairman, Historical Landmark Commission, said they oppose the structure. He said he does not want to encourage development in the National Register District, but wants to encourage re-development. He feels the proposed structure is too large for East 6th Street.

Councilmember Urdy stated the scale of the proposed building is in accordance with the existing zoning and does not understand the opposition.

Bert Cromack read a letter from Betty Phillips, who opposes the construction of the building.

Jim Fowler, Historic Landmark Commission, and Susan Frost, Austin Preservation Alliance, both spoke in opposition to the structure. Councilmember Rose said he feels the structure is appropriate.

Mayor Cooksey said he feels the transition is architecturally pleasing, but that he will not vote for any more high rises on East 6th from Brazos to IH 35.

#### Motion

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, granted the appeal and approved the Certificate of Appropriateness, with no tax abatement, and designed so it will not encroach into the Capitol View Corridor. C14h-80-023. (4-1 Vote, Councilmember Humphrey abstained, Councilmember Shipman absent, Councilmember Carl-Mitchell voted No.)

#### PUBLIC HEARING

Mayor Cooksey opened the public hearing set for 6:00 p.m. on an ordinance amending Chapter 9-1 of the Austin City Code relating to the offense of abetting prostitution.

Chief Roberts, Austin Police Department, discussed the changes made in the ordinance previously presented to Council at its last public hearing on the same subject.

Della Green spoke against the ordinance.

Rev. Freddie Dixon, a resident of East Austin, spoke in favor of the ordinance.

Glen Rosales, Chairman of Pornography and Prostitution of South Austin, spoke in favor of the ordinance. He said there are many methods the police can use. He also said this has been upheld in most cities.



A woman who did not identify herself and Raorto Galf spoke in favor of the ordinance.

Darrel Marsh, Texas Civil Liberties Union, is against the ordinance.

Mike Folsom said Austin has a vending problem with the amount of prostitution and spoke in favor of the ordinance.

Bill Clayton, president, South Austin Civic Club, favors the ordinance, as does James Pinedo, Carrie Schultz and Ron Davis, who wants the ordinance examined.

#### Motion

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, closed the public hearing and directed the City Manager to direct staff to bring the ordinance back to Council on the July 25, 1985 agenda. (6-0 Vote, Councilmember Shipman absent.)

#### EXECUTIVE SESSION

Mayor Cooksey announced Council would recess for executive session to discuss matters of land acquisition, litigation and for personnel matters. No official action of the City Council will be taken on any of these matters unless such item is specifically listed on the agenda.

#### RECESS AND ADJOURNMENT

Council recessed its meeting at 8:05 p.m. and resumed its recessed meeting at 8:36 when the Mayor announced the meeting was adjourned.