



## Austin City Council MINUTES

For SEPTEMBER 6, 1984 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

### City Council

Ron Mullen  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

Council Members  
Mark Rose  
Roger Duncan  
Sally Shipman  
Mark E. Spaeth  
Charles E. Urdy

Jorge Carrasco  
City Manager

Elden Aldridge  
City Clerk

### Memorandum To:

Mayor Mullen called to order the meeting of the Council, noting the absence of Councilmember Spaeth.

#### MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, approved the minutes for August 30, 1984 and Special Meetings of May 4 (4:00 p.m. & 5:00 p.m.) May 9, August 2 & 8, 1983. (6-0 Vote, Councilmember Spaeth absent.)

#### COMBINED UTILITY SYSTEM REVENUE BONDS

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, adopted a resolution accepting the bid of First Boston Corporation and Associates of 11.1784% to the issuance and sale of the City of Austin, Texas \$160,000,000 Combined Utility Systems Revenue Bonds, Series 1984. (6-0 Vote, Councilmember Spaeth absent.)

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance authorizing all matters incident and related to the issuance and sale of the City of Austin, Texas \$160,000,000 Combined Utility Systems Revenue Bonds, Series 1984, including receipt and bid of First Boston Corporation and Associates for 11.1784%, and authorized issuance of bonds. (6-0 Vote, Councilmember Spaeth absent.)

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**CITIZENS DID NOT APPEAR**

Ms. Jeanne O'Dell who had requested to discuss alleys in the downtown area; and Larry M. Deuser, who had requested to discuss excesses in bond proposals and ballot wording, did not appear.

**BOND ELECTION DISCUSSED**

Mr. Dave Dobbs, Mr. James Austin Pinedo, Mr. Jack Goodman, Mr. Lawson P. Roberts, Ms. Ruth Epstein, Mr. Smoot Carl-Mitchell and Mr. Max Nofziger all discussed the forthcoming bond election.

**CONSENT ORDINANCES**

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

**Operating Budget Amendments**

Amended the 1983-84 Operating Budget by:

- a. Accepting a grant in the amount of \$8,074.00 from the Texas State Library for the Austin Public Library.
- b. Accepting an additional allocation of \$22,800 from the Texas Department of Human Resources for the Title XX Family Planning Contract.

**Capital Improvements Program**

Amended the 1983-84 CAPITAL IMPROVEMENTS PROGRAM by appropriating \$53,000.00 from the Golf Surcharge to the Jimmy Clay Clubhouse Renovation Project.

**Name Change of Transit Authority**

Amended Ordinance No. 831013-U (Interim Rapid Transit Authority) to change the name to Capital Metropolitan Transportation Authority (Capital Metro).

**Zoning Ordinance Corrections**

Amended the following Zoning Ordinances to correct errors relating to the legal descriptions:

## CORRECTIONS - (Continued)

- a. Ordinance No. 840802-I - Case No. C14-82-080
- b. Ordinance No. 831020-C - Case No. C14-70-001 (part)

Zoning Ordinances

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

- a. WILLOTT FLICK/R.M. 905 W. Oltorf Street From "B" 6th H&A  
DODSON to "O-1" 1st H&A  
By Elliott Flock  
C14-83-083
  - b. GEORGE S. NALLE, III 1500-1700 blocks From Interim "A" 1st  
By Richardson Verdoorn MoPac Blvd., also H&A to "O-1" 2nd H&A  
Partner bounded by proposed and "LR" 1st H&A  
C14r-83-339 Capital Parkway
  - c. CITY OF AUSTIN OFFICE 8710 MoPac Boulevard From "GR" 2nd H&A to  
OF LAND DEVELOPMENT "O-1" 1st H&A  
SERVICES  
C14-84-147
- Heard and granted August 2, 1984 (7-0). No conditions to be met.
- d. CITY OF AUSTIN OFFICE Thousand Oaks Drive From Interim "A" 1st H&A  
OF LAND DEVELOPMENT Thousand Oaks Circle to "AA" & "A" 1st H&A  
SERVICES Mistywood Drive  
C14-84-144 Mistywood Circle  
Mistyglen Circle  
Foxfire Drive  
Wychwood Drive  
Headwater Lane  
Apricot Glen Drive  
Twinberry Cove  
Stoneridge Circle  
Winter Park Road  
Intervail Drive  
Loveland Cove  
Angelfire Lane  
Steamboat Spring Cove  
Crested Butte Drive  
Jackson Hole Cove  
Cooper Mount Cove  
1700-1913 Stoneridge Road  
1800-1937 Holly Hill Drive

## ZONING ORDINANCE - (Continued)

- e. CITY OF AUSTIN OFFICE 1801-2111 Richcreek Rd. From Interim "A" 1st H&A  
OF LAND DEVELOPMENT 1800-2206 Pasadena to "A" 1st H&A  
SERVICES 1800-1919 Madison Ave.  
C14-84-145 1800-1919 Piedmont Avenue  
1800-1918 St. Johns Avenue  
1800-1916 Cullen Avenue  
7000-7408 Yates Avenue  
7102-7208 Hardy Drive  
2000-2019 Hardy Circle
- f. SOUTHWEST AUSTIN LTD. 5125-5607 East Ben From Interim "AA" 1st H&A  
PARTNERSHIP White Boulevard to "DL" 2nd H&A  
By Stephen Walker 3400-3600 Judson Road  
C14r-84-107 5406-5606 Burleson Road

EMERGENCY PASSAGE OF ORDINANCE

## ITEM TO BE BROUGHT BACK

Council will consider third reading of the following ordinance on September 13, 1984:

M. E. THOMSON,	1000-1010 Banister	From "A" 1st H&A to
ET AL	Lane & 3708-3818	"BB" 1st H&A
By Mauro, Sarret	Garden Villa Lane	
& Wendler		
C14-83-073		

## CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Spaeth absent)

Eminent Domain Proceedings

Authorized Eminent Domain Proceedings to acquire a Sanitary Sewer Easement for the Phase B Lower Walnut Creek Wastewater System Improvements Project pursuant to contract with N.C.A.G.C. MUD #1.

0.99 of an acre Sanitary Sewer System and a 30 foot wide Sanitary Sewer Easement out of a 35.68 acre tract in the H.T. Davis Survey No. 30, said 35.68 acre tract being described in Volume 8435, Page 968 of the Deed Records of Travis County, Texas. (Glen C. Anderson, owner)

Release of Easements

Approved release of the following easements:

- a. 4.5' of the 7.5' Drainage Easement as recorded in Volume 7843, Page 608, of the Travis County Deed Records and located on Lot 30, Block A, Cherry Creek Phase VI. (Request submitted by Mr. Gregory R. Althoff of the Public Works Department)
- b. The Electric Easement at the southeast corner of Lot 15, Chaparral Village. (Request submitted by McGray & McGray Land Surveyors, on behalf of Mr. Roane Puett)
- c. A portion of a 5' Public Utility Easement dedicated on Lot 6, Fraternity Row and located on the resubdivision of the north part of Lot 6, Fraternity Row, West 25th Street at Pearl Street. (Request submitted by McGray & McGray Land Surveyors)
- d. The Overhang Easement on Lot 7-A, Resubdivision of Lots 7, 8, 9 and 10, Barton Springs Heights, 518 Cliff Drive. (Request has been submitted by Mr. James F. Ray)
- e. The 15' Public Utility Easement on the common lot line of lots 1 and 2, Wallingwood Section 1. (Request submitted by Dennick and Harris Engineering on behalf of Transwestern Property Company)

Change Orders

Approved the following Change Orders:

- a. In the amount of \$5,456.00 to Woody's Contracting Company for the Lester E. Palmer Auditorium Improvements. (3% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 81/80-02.
- b. In the amount of \$39,202.00 to Peabody Southwest, Inc. for the Govalle Wastewater Treatment Plant Improvements, Hornsby Bend Digesters, and Hornsby Bend Hyacinth Ponds. (0.20% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 73/23-83.
- c. Not to exceed \$2,200,000 to Peabody Southwest, Inc. for the construction of Package Plants 3 & 4 at the Williamson Wastewater Treatment Facility.

Contracts Approved

Approved the following contracts:

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- a. ARMEL CONSTRUCTION COMPANY, INC.  
P. O. Box 1689  
Cedar Park, Texas
- CAPITAL IMPROVEMENTS PROGRAM -  
Construction of E.M.S. Station No.  
12, Emergency Medical Services  
Department - \$135,490.00 C.I.P.  
No. 81/93-02
- b. SPORTS AND RECREATION PRODUCTS-  
(MBE)  
113 Indiana  
Laredo, Texas
- CAPITAL IMPROVEMENTS PROGRAM -  
Picnic Tables and Frames, Parks  
and Recreation Department  
Total \$6,485.08 C.I.P. Nos.  
75/86-46 & 83/86-04
- c. WRIGHT-HANKEY, INC.  
P. O. Box 17936  
Austin, Texas
- CAPITAL IMPROVEMENTS PROGRAM -  
Construction of Jimmy Clay Golf  
Course Clubhouse, Parks and  
Recreation Department - \$255,200.00  
C.I.P. No. 83/89-01
- d. VAN VALIN ASSOCIATES  
12140 Beechnut  
Houston, Texas
- CAPITAL IMPROVEMENTS PROGRAM -  
Sequence of Events Recorders,  
Electric Utility Department -  
Total 16,242.00 C.I.P. Nos.  
82/16-04, 81/16-02, 83/16-06 &  
82/16-02
- e. POWER ENTERPRISES  
2407 Engineers Road  
Belle Chase, Louisiana
- CAPITAL IMPROVEMENTS PROGRAM -  
Galvanized Steel Transmission  
Liner and Substation, Electric  
Utility Department - Total  
\$54,990.00 C.I.P. No. 82/16-04
- f. RED EWALD, INC.  
Highway 181 South  
Karnes City, Texas
- Portable Fiberglass Storage Tank,  
Electric Utility Department -  
Total \$5,972.00 84-0305-AV
- g. DALTRON TRANE SERVICE COMPANY  
3650 High Point  
San Antonio, Texas
- Air Compressor, Water and  
Wastewater Department  
Total \$18,071.00 84-0358-DC
- h. MILLER BLUEPRINT COMPANY  
501 West 6th Street  
Austin, Texas
- Surveying Instruments, Water  
and Wastewater Department  
Total \$13,805.00 84-0233-MB
- i. PLAINS MACHINERY COMPANY  
2235 NW Loop 410  
San Antonio, Texas
- Hydraulic Excavator, Vehicle  
and Equipment Services Department  
Total \$112,641.00 84-0275-MB
- j. KUT  
The University of Texas at Austin  
Center for Telecommunications  
Services  
Communications Building B  
Austin, Texas
- Services to provide for radio  
broadcasts of weekly and special  
called City Council meetings,  
Communications Department  
Twelve (12) month Contract  
Estimated total \$7,510.00

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Items Pulled

Pulled from the agenda were the following contracts:

INFINITE ENERGY/A MARKETING AND  
COMMUNICATIONS CONSULTANCY  
P.O. Box 17945  
Denver, Colorado

- Promotional Services, Resource  
Management Department  
Six (6) Month Contract  
Total \$36,600.00 84-S325-LI

AT&T INFORMATION SYSTEMS  
3721 Executive Center Dr.  
Suite 200  
Austin, Texas

- Telephone System, Housing and  
Community Services Department  
Five (5) year contract  
Total \$53,956.49 84-S346-LK

Cable Service Deferred

Granted Austin CableVision an additional six (6) month deferral of providing a home and business security system until January 15, 1985.

Title XX

Amended and renewed the current contract with the Texas Department of Human Resources for Title XX Family Planning Program funding and participation.

Public Hearings Set

Set public hearings on the following:

- a. To consider a proposed amendment to Chapter 13-2 and Chapter 13-2A (Zoning Ordinance) of the City Code to provide a definition of berm signs: September 27, 1984 at 3:00 p.m.
- b. To consider a proposed amendment to the Lake Travis Ordinance (Ordinance 840308-K) of the City Code to provide a definition of critical water quality zone: September 27, 1984 at 4:40 p.m.
- c. To consider a proposed amendment to Chapter 13-2 (Zoning Ordinance and Chapter 13-2A (Revised Zoning Ordinance) of the City Code to provide a definition of Research and Development: September 27, 1984 at 5:00 p.m.
- d. Utility General Fund Transfer: September 13, 1984 at 5 p.m.

Tract Adjacent to Barton Creek

Approved a contract to purchase the Transwestern Development Corporation tract adjacent to Barton Creek.

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Water & Wastewater Approach Mains

Approved the following water and wastewater approach mains:

- a. JEE TSIO
  - Water approach main to include approximately 52.52 acres of industrial development for Advanced Micro Devices. No City cost participation.
- b. JEE TSIO
  - Wastewater approach main to include approximately 52.52 acres of industrial development for Advanced Micro Devices. No City cost participation.

Hearing Not Held

The public hearing, scheduled for 2:00 p.m. on extending amendments to the Lake Austin Watershed Ordinance and the Lake Austin Shoreline Ordinance to include the South Shore to Town Lake from Tom Miller Dam to Zilker Park, was not heard. The proposal has not yet been heard before the Planning Commission. The hearing will be rescheduled after it has been reviewed by the Planning Commission.

BULL CREEK BASIN WATER & WASTEWATER SERVICE AREA

Councilmember Duncan introduced an item to Council concerning the water and wastewater service amendments in the Bull Creek Basin. He requested the amendments be held up until the process has been completed.

DISCUSSION OF ZONING CASES

Mayor Mullen asked if it is really necessary to have full Council present when a zoning application has a valid petition, before the case can be voted on. Councilmember Shipman said she hopes the Council will honor members request to postpone if they deem it necessary. Mayor Mullen stated the tradition is to postpone if there are not seven members present. He said he does not think that should be valid any longer and if Council wants to vote it can. He asked Council if they agreed. They all did.

WATER CAPACITY OF THE MEADOWS

Councilmember Urdy introduced an item to council to consider review of water capacity to serve the Meadows of Walnut Creek. He reviewed the situation. Terry Irion, representing Glen Means, showed a map of the subdivision plan. He said when they filed for plat approval on 4c they found out that water is not available but was



## MEADOWS - (Continued)

told by staff that if they had approval of the approach main, plat approval and approval of the Director of Water and Wastewater, they would be served. The line has been built and they have the preliminary plat approval, but the commitment to serve the area cannot be found. Mr. Irion then read a letter from Carl Schwing, former Director of Water and Wastewater, in which he stated that during his tenure he had verbally committed the City to supplying the service.

Jim Thompson, Director of Water and Wastewater, said the City's water system is not capable of delivering water to the tract in question. He said there is an intent to serve but there is no commitment when the service will be available.

Councilmember Shipman said it concerns her that the commitment was verbal and not written and asked if the verbal commitment is binding. Jorge Carrasco asked if the investor requested a written agreement. Tom Curtis, also representing the applicant, said that they were able to ask the former director his intent.

Councilmember Urdy said they need to look at the policy because the area has been in the City 10-12 years. Discussion followed.

Jorge Carrasco said the staff will go back and work with the processor of taps and let the applicant know if the capacity is there.

## COUNCIL MEETING CANCELLED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Duncan's second, approved the cancellation of the October 11, 1984 Council meeting. (5-0 Vote, Councilmember Shipman out of the room, Councilmember Spaeth absent)

## PUBLIC HEARING - STREET VACATION

Mayor Mullen opened the public hearing set for 3:00 p.m. on vacation of the following: A portion (2.78 S.F.) of the West 6th Street Right-of-Way adjoining Lot 4, Block 74, Original City of Austin, 500 West 6th Street. (Request submitted by Mr. Terry Irion on behalf of Vernon Capital Corp.)

No one appeared to be heard.

Motion

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, closed the public hearing, waived the requirement for three readings, and finally passed an ordinance vacating 2.78 S.F. of the West 6th Street right-of-way adjoining Lot 4, Block 74, Original City of Austin, 500 West 6th Street. (5-0 Vote, Councilmember Shipman out of the room, Councilmember Spaeth absent.)

**FEE WAIVED**

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, approved the request of Mr. T.J. "Jack" Morton, for an exemption from provisions of the City Ordinance No. 790927-M and waived the assessed fee with regard to the property located at 801 Congress Avenue. (6-0 Vote, Councilmember Spaeth absent)

Mayor Mullen stated that this fee was waived only because of the historical significance of the site and that that is the only reason this property is treated differently.

**CONDITIONS OF ZONING**

The City Manager Report presented on Site Plan and Restrictive Covenants as Conditions of Zoning, is on file in the City Clerk's office.

**MUNICIPAL COMPLEX DOCUMENTS**

Boris Dramoff presented the City Manager Report on the Municipal Office Complex. He said the Council was sent three documents which will be used by the developers for information concerning the project. One is the City Hall Building Program which reflects the space, needs and functional requirements for the City Hall. There is also a background market analysis report, which deals with the supply and demand aspects of the private development components of the project. The third manual is a design manual which has guidelines and shows illustrations of the project to help the developers in making their proposals.

Mr. Dramoff said they will be coming back to Council with a draft lease document which they will receive soon.

**Motion**

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, adopted a resolution amending the development prospectus for the Municipal Office Complex and eliminate lobbying provision. (4-2 Vote, Mayor Mullen and Councilmember Rose voted No, Councilmember Spaeth was absent.)

**No Action Taken on Resolution**

No action was taken on an resolution to consider the method of receiving recommendation concerning the municipal office complex development award.

## NUEVA VIDA AUDIT REPORT

Mr. Bramlett, Internal Auditor, presented the audit report on Nueva Vida. He said "the bottom line on our report is that nothing came to my attention, which would preclude the disbursement of funds that you authorized us to audit. You do not need to take any further action in order for those funds to be disbursed to First Texas to act as the disbursing agent in order to assure those are used only for completion of work as yet undone. Other findings are that you might want the City Attorney to consider whether there are mechanisms available to provide assurance that your concern about profit would continue to be respected in the future. So far as we have been able to determine the Department of Housing and Urban Development has closed its file on this project and has no legally enforceable means to assure that the land remaining will not be used for profit making purposes. Only one of the original seven acres has been developed thus far. The six acres remaining have some market value. We did not attempt to determine what that market value is. At one time HUD did authorize the sale of a portion of that land for an office building to generate funds to finance the project. They elected not to pursue that alternative and I do not know whether it is economically feasible or not but this alternative may be available in the future. If you are concerned about the profit aspect it would be a legitimate consideration. With respect to the contractor, Oscar DeLeon and his relationship to the sub-contractor, the standards of business was not those which is normally in effect in a large business, but that is, to some extent, understandable given the fact that it is not a large business. It is a new business and folks are learning how to go about these things. You might want to consider the implications and future operations of this agency. We did not find any indication that EACEDC was deficient in any of their accounting procedures or fiscal management of the project."

City Manager Carrasco added, "As I understand it, there is a total of seven acres owned by the corporation, one developed, so there are six additional acres that could be developed. One thing that Council may wish to consider is if the remaining six acres are sold, that those funds could be used to reimburse the City for this grant, or in the event they are developed and there is a profit made, that that would be used to reimburse the City for any grant for monies that are extended to the corporation. I mention that because there may be additional property that may be subject to development or could be subject to a sale and that is a consideration Council may wish to make."

Mayor Pro Tem Trevino said, "Has the corporation any plans to either utilize the property or dispose of it by sale?"

Paul Hernandez stated, "Not at this time there are not plans whatsoever to do anything with the remaining six acres. Pending the funding cycle there may be an opportunity to develop further, but at this time there are no plans whatsoever for any more development. There are no monies for it."

## REPORT - (Continued)

Mayor Mullen asked, "Council, what is your pleasure on the recommendation of staff? ....What I heard him say is that we could require that if you want to. Does anyone want to do that procedure as a legal protection for the City?"

Mr. Carrasco said he would recommend the use of First Texas as the City's disbursing agent for the funds that are granted.

Mayor Mullen relinquished the chair to Mayor Pro Tem Trevino in order to make a motion.

Motion

Mayor Mullen made a motion to protect the City's interest by following the option that has been set out by City and use First Texas as the disbursing agent.

Councilmember Shipman asked, "What does it mean? It sounds like it is appropriate on the surface but I wouldn't want to hamstring the opportunity for this property to be utilized for either economic development or preferably for housing. I don't know where it is located for housing, but to have a positive effect on the area." Mr. Carrasco said, "What I suggested would in no way hinder that. It simply would permit the City, in the event there is disposition of the property, to have those funds reimbursed." Councilmember Shipman said, "In the event it is developed as a non-profit then we are not putting any lean against it at all." Mr. Carrasco said it would not.

Mayor Mullen stated, "As long as they remain a non-profit organization, providing low cost housing, without a profit, they have a deal. If they decide to sell the property to get a profit out of it or in anyway begin to make a profit then the City needs to be reimburse first and I think it is a good idea." Councilmember Shipman said, "I do too, I wanted it clarified".

Second to the Motion

Councilmember Duncan seconded the motion.

Paul Hernandez said, "The owners of the property are Canales, Inc. and if there are any funds extra generated, they would go back to the organization for that organizations continued existence. There is no dividends being paid off, there are no profits to speak of. Any excess funds would go back to the organization to maintain the staff and to assist the organization but there is no profit making entity within the non-profit organization."

Roll Call

5-0 Vote, Councilmember Rose out of the room,  
Councilmember Spaeth absent.

## ANNEXATION PLAN

Lilas Kinch, Acting Director, Office of Land Development Service, presented the Annexation Report. Copy of the report is on file in the City Clerk's office.

Councilmember Rose recommended OLDS come back with a list of critical areas for limited purpose annexation in two weeks.

Mayor Mullen said the City should annex Balcones Country Club area in time to be included in the 1985 tax rolls. He said too much time and money is spent on limited purpose annexation.

## ITEM PULLED

The Financial Report was not discussed and was pulled from the agenda.

## ITEM POSTPONED

Council postponed until September 13, 1984 the First reading of an ordinance amending Chapter 13-2 of the Austin City Code to cover the following change:

a. RANDY MORINE	10608 Morado Circle	From Interim "AA"
By Robert W. Jackson		1st H&A to "BB"
C14-84-104		1st H&A

## PUBLIC HEARING - EXEMPTION TO ORDINANCE

Mayor Mullen opened the public hearing set for 3:30 p.m. on Exemption to Ordinance No. 840209-K (Inner-City Development Ordinance) for 1200 Baylor and 1201 Castlehill.

Curry Jones, representing the applicant, said he realized after listening to the tapes of meetings when the case was discussed, that "this is a mess". He said the site plan was approved and authorized by staff. His client has a \$3.8-million note to meet and he considers theirs a hardship case. Mr. Jones said if they go to the Board of Adjustment there will be a lawsuit and the City probably will be held liable. Mr. Jones reminded Council they passed four ordinances in 4½ months concerning the area of the two addresses. The client, in good faith, tried to conform with the ordinances, but when there is confusion, such as this, mistakes will be made.

Councilmember Urdy said the City has said everything is valid and Paul Isham, City Attorney, stated the City is not holding up the project.

Jim Kauzer, attorney for the neighbors, stated they have challenged the site plan in District Court. He asked Council not to

## EXEMPTION - (Continued)

grant the exemption.

Bill Ikard, attorney, said Mr. Kauzer has challenged them.

Robert Meiszl, steering committee, Old West Austin Neighborhood, told Council they rely on the Interim Ordinance to protect their homes.

Curry Jones returned to ask if it is fair to be exempted from the ordinance. He said this is the bottom line of the argument.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, closed the public hearing. (5-0 Vote, Mayor Mullen out of the room, Councilmember Spaeth absent.)

No motion was made in favor of the exemption, therefore there is no exemption.

## PUBLIC HEARING - RM 2222 HIGHWAY CORRIDOR

Mayor Mullen opened the public hearing set for 3:40 p.m. on Amendments to Chapter 13-2 of the City Code; providing requirements and criteria for development within the RM 2222 Highway Corridor. The proposed ordinance is on file in the City Clerk's office.

Councilmember Rose said the final draft ordinance had just been given to Council and said it is all right to have the public hearing today and vote on it September 20, 1984.

Judith Fowler reviewed the ordinance.

Terry Bray, representing several small landowners said there are many conceptual concerns.

Bruce Gutheridge, landowner, discussed some changes he would like.

Scott Jeffries said they are within all of the City's restrictions and therefore cannot use their property.

John Meinrath said his client has a 30 lot subdivision and cannot develop it under this ordinance. He asked that the ordinance be reviewed because none of the lots have access to RM 2222.

Niel Graham said he works with John Lloyd Development Company and wants the ordinance to be fair.

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**2222 HIGHWAY CORRIDOR - (Continued)**

John Joseph, who represents 22 landowners on 2222, asked Council to reduce the setback to 25'

Council directed that this be brought back on September 20, 1984 agenda as an ordinance.

**Motion**

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, closed the public hearing. (6-0 Vote, Councilmember Spaeth absent.)

**ZONING HEARINGS**

Mayor Mullen announced Council would hear the following zoning applications. Council heard, closed the public hearing, and directed the City Attorney to draw up the necessary ordinances.

C14	-84	HENRY C.	2216 College Avenue	From "A" 1st H&A
	175	LUCKSINGER ESTATE		To "O-1" 1st H&A
		By Molly R. Maxman		RECOMMENDED (as amended)
				<u>GRANTED AS RECOMMENDED</u>
C14	r-84	MIKE ROUSE &	12732 Research Blvd.	From "O" 1st H&A
	212	CHARLES MOORE		To "GR" 1st H&A
		By Larry G. Hada		RECOMMENDED
				<u>GRANTED AS RECOMMENDED</u>
C14	-84	CITY OF AUSTIN	502 Longspur	From "O" 2nd H&A & "GR"
	220	OFFICE OF LAND		1st H&A
		DEVELOPMENT		To "B" 1st H&A
		SERVICES		RECOMMENDED
				<u>GRANTED AS RECOMMENDED</u>
C14	8-84	WATERFORD PLACE	4909 Mt. Bonnell	From Interim "IA" & "A"
	015	PUD	Road	1st H&A
		By DCBD Inc. &		To PUD-Residential; 22
		Hugh Radney		dewlling units with
				private street access
				and boat docks.
				RECOMMENDED
				<u>GRANTED AS RECOMMENDED</u>

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

## ZONING - (Continued)

C14 h-84	HEIERMAN BUILDING	115 E. 5th Street	From "C-2" 4th H&A
007	By Joe Colbert		To "C-2-H" 4th H&A
			<u>RECOMMENDED</u>
			<u>GRANTED AS RECOMMENDED</u>
C14 -84	CIRAK-GOLDRICK	3702 Terrina	From "C" 1st H&A
055	PARTNERSHIP		To "A-2" 1st H&A
	By Robert Laney		<u>RECOMMENDED</u>
	Vickers		<u>GRANTED AS RECOMMENDED</u>
C14 -84	LEIF ZARS-L.Z.	5934 Middle Fiskville	From Interim "A" & "C"
186	PROPERTIES	Road	1st H&A
	By David Bodenman	807 Clayton Lane	To "C" 2nd H&A
			<u>RECOMMENDED</u>
			<u>GRANTED AS RECOMMENDED</u>

## (EMERGENCY PASSAGE OF ORDINANCE)

C14-84	CHARLES L.	2711 East 1st Street	From "C" 2nd H&A
197	VILLASENOR		To "C-2" 2nd H&A
			<u>RECOMMENDED</u>
			<u>GRANTED AS RECOMMENDED</u>

C14-84	CITY OF AUSTIN	1125-1157 North-	From "B" & "D" 2nd H&A
215	OFFICE OF	western	To "C" 1st H&A
	FACILITIES	2201-2257 Rosewood	<u>RECOMMENDED</u>
	PLANNING AND		<u>GRANTED AS RECOMMENDED</u>
	CONSTRUCTION		

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

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C14 -84	CACHARA OIL AND	1918 Bissel Lane	From Interim "A" 1st H&A
179	GAS COMPANY		To "O-1" 1st H&A
	By Jeffrey H.		<u>RECOMMENDED</u> subject to
	Farrington		dedication of up to 30'
			of right-of-way from
			centerline on Bissell.
			<u>GRANTED AS RECOMMENDED</u>

C14 -84	CHARLES M. BERG/	209 East 31st Street	From "B" 2nd H&A
182	BRUCE R. PETTY		To "O-1" 1st H&A
	(5-1-0 Vote, Councilmember		<u>RECOMMENDED</u> subject to
	Shipman voted No, Councilmember		retention of existing
	Spaeth absent.)		structure.
			<u>GRANTED AS RECOMMENDED</u>

C14 -84	THOMAS LIVINGSTON	11308 Jollyville	From "EB" 1st H&A
193	By John D. Ewald	Road	To "O-1" 1st H&A
			<u>RECOMMENDED</u> "O-1" tied
			to site plan.
			<u>GRANTED AS RECOMMENDED</u>

(On Mayor Pro Tem Trevino's motion, Mayor Mullen's second,  
6-0 Vote, Councilmember Spaeth absent)



## ZONING - (Continued)

- C14 -84 PETE VESCOVO & 1301-1305 W. 25th From "B" 1st H&A  
196 EDWARD GILLEN Street To "O-1" 1st H&A &  
By Donna H. 2nd H&A  
Kristaponis  
RECOMMENDED subject to  
the following conditions  
as requested by the Sun  
Neighborhood Association  
and agreed to by the  
applicant:  
(1) Applicant will build to the site plan presented, (2) applicant  
will build to artist rendering presented, (3) applicant will replace  
inch for inch all trees on site or within the SUN neighborhood  
(any trees removed during construction), (4) sidewalk installed by  
applicant on 25th Street will be properly engineered to prevent  
ground water seeping or standing on sidewalk, (5) reflectivity of  
exterior will be 20% or less, (6) applicant will not apply for a  
freestanding sign.  
GRANTED AS RECOMMENDED
- C14 -84 JOE D. ADAMS 1604 Fortview Road From "A" 1st H&A  
199 By Donald E. Bird To "GR" 1st H&A  
RECOMMENDED subject to  
dedication of up to 35'  
of right-of-way from the  
centerline of Fortview  
Road.  
GRANTED AS RECOMMENDED
- C14-84 BARBARA BRAUNER 3001 Manchaca Road From "A" 1st H&A  
126 By Les Pittman To "O-1" 1st H&A  
RECOMMENDED (as amended)  
subject to dedication of  
up to 45 feet of right-  
of-way from centerline  
on Manchaca Road.  
GRANTED AS RECOMMENDED
- C14-84 NORMA E. CORLEY, 1615-1617 E. 7th St. From "A" 2nd H&A  
185 ET AL To "C" 2nd H&A  
By W. G. Hunt RECOMMENDED (as amended)  
"GR" 1st H&A If more inten-  
sive zoning is recommended,  
then up to 60' of right-of-  
way from the centerline  
should be dedicated for E.  
7th St. to conform with the  
Roadway Plan.  
GRANTED AS RECOMMENDED

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## ZONING - (Continued)

C14 -84 OLIVER B. STREET 6109 Webberville  
190

From "AA" 1st H&A  
To "C" 1st H&A  
RECOMMENDED "C" 1st tied  
to proposed use, noting  
that change of use will  
require review by  
Planning Commission  
and City Council.  
GRANTED AS RECOMMENDED

C14-84 THOMAS J. O'MEARA, 705 Stassney Lane  
172 JR. ET AL

From Interim "A" 1st H&A  
To "LR" & "O-1" 1st H&A  
RECOMMENDED (as amended)  
subject to restrictive  
covenant prohibiting  
apartment use.  
GRANTED AS RECOMMENDED

C14 r-84 JOHN E.H. STREET 9001-9105 Mountain  
171 ET AL Ridge Drive  
By Ron D. Beard 9225 Capital of  
& Assoc. Texas Hwy.

From "B" 1st H&A  
To "O-1" CTH  
RECOMMENDED "O-1" 1st CTH  
tied to site plan, subject  
to conditions by the Balcones  
Civic Assn., applicant is to  
provide two trees for every  
tree which is removed, grant  
waiver to Loop 360 Ordinance  
which requires that 48.2% of  
the site be left in a natural  
state.

(EMERGENCY PASSAGE OF ORDINANCE)

GRANTED AS RECOMMENDED

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

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9/6/84

C14 -84 LOUIS & FRIEDA 804 Winflo  
158 GERHARDT  
By Leon J. Barish

From "A" 1st H&A  
To "B" 2nd H&A  
NO RECOMMENDATION

GRANTED STAFF RECOMMENDATION

Staff Recommendation: To deny "B", 2nd H&A, but recommend "B", 1st H&A, with dedication of up to 30 feet of right-of-way from center line on Winflo Drive.

Basis for Recommendation:

1. The site is surrounded by "B", 2nd H&A zoning except for the one lot to the southwest and the one lot to the northwest of the site.
2. The lots to the north and east of the site have been developed as apartments and a 4-plex is located directly across the street from the site.
3. Because of the single family residential character of the area (south and west of the site) the 1st H&A designation is recommended.

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

C14 -79 HI-LAW, INC.  
011 By Jim Nias

1012-1120 Wm. Cannon  
Drive  
6702-6708 Emerald  
Forest Drive

Amendment to Restrictive  
Covenant  
GRANT AS RECOMMENDED

(On Councilmember Rose's motion, Mayor Mullen's second, 6-0 Vote, Councilmember Spaeth absent.)

PUBLIC HEARINGS POSTPONED

Council postponed the following public hearings, scheduled for 4:00 p.m. until September 20, 1984: Appeals from Mr. Bert Cromack, Save Barton Creek Association, of Planning Commission decision to approve:

- a. Barton Bend Office Park (C8-84-41)
- b. Shadowridge Crossing Section 1, Phases A and C (C8-84-62) and Section 1, Phases B,D, and E) (C814-84-013).
- c. Tanglewood Forest, Section 4, Phase E (C8-82-32.02 84).

## PUBLIC HEARING - TAXICAB FRANCHISE

Mayor Mullen opened the public hearing set for 4:00 p.m. on Taxicab Franchise Application.

Councilmember Rose went over the two ordinances before the City Council and made the following motion:

Motion

Councilmember Rose made a motion, seconded by Councilmember Duncan to approve the deregulation ordinance.

Mayor Mullen and Councilmember Urdy said they do not like this approach. Mayor Mullen said the present ordinance can be modified to include radio dispatch, 24 hour service, cleanliness of cabs and minimum standards of where things are. He said the franchise should just float as long as the cabs meet the standards.

David Bailey asked for deregulation. Bertha Means said Councilmember Rose's proposals are good. Terry Davis spoke about the proposed ordinance. Marvin Gursuwich liked the Rose ordinance. Carlos Velasquez, Roy's Taxi, said more permits are needed because more taxis are needed. Terral Smith, representing Yellow Cab and Harlem Cab said his client will give up Harlem Cab if he can have more permits.

Orlando Motto said 24 hour service, clean cabs and radio phones are needed. Ken Manning, who represents a group of owner-operators, said the convenience and necessity should be re-evaluated yearly. Arthur Turner requested 60 permits. He was not at the August 2 hearing because he was ill. Stacy Suits supports Councilmember Rose's proposal. Donald McCurdy said his cab business is a private business. Ray Geiger of Harlem Cab asked for deregulation. Leonard Descozo, Yellow Cab driver, approved of Councilmember Rose's motion.

Motion

The Council, on Councilmember Rose's motion, Mayor Mullen's second, closed the public hearing. (6-0 Vote, Councilmember Spaeth absent)

Councilmember Rose argued that the City does not set a limit on the number of real estate or insurance agents. Councilmember Urdy discussed the present cab situation, and a long conversation among the Councilmembers ensued.

Motion

Councilmember Duncan called for the question. It passed by a 5-0 Vote, Councilmember Spaeth absent, Councilmember Urdy out of the room.

## HEARING - Taxicab

Councilmember Rose explained the second of his ordinances.

Assistant City Attorney Jonathan Davis discussed the Certificate of Authority and said the applications could be received by the City Manager who could deny the application and specify the reason and then the application could be made through the appeal process to the City Council.

Mayor Mullen said he does not want to put a lid on the number of franchises an owner can have. More discussion followed.

Motion - FAILED

Councilmember Rose's motion, seconded by Councilmember Duncan, to adopt Option 1 FAILED BY A VOTE of 2-4, Mayor Mullen, Mayor Pro Tem Trevino, Councilmembers Shipman and Urdy voted No, Councilmember Spaeth absent.)

Motion - FAILED

Councilmember Rose's motion, seconded by Councilmember Duncan, to accept his second proposed ordinance, FAILED BY A VOTE of 2-4 with Mayor Mullen, Mayor Pro Tem Trevino, Councilmember Shipman and Councilmember Urdy voting No, Councilmember Spaeth absent.

Mayor Mullen relinquished the chair to Mayor Pro Tem Trevino to make the following motion:

Motion - FAILED

Mayor Mullen's motion, seconded by Councilmember Shipman to approve so that anyone who qualifies can have a franchise; franchisers allowed as many permits as they want; 60% owner/operators; include some of Councilmember Rose's suggestions; come back with a written ordinance; include draft franchise on first reading for Mr. Turner; direct City Attorney to bring back franchises for third reading on 9/13/84 which have already passed 1st and 2nd readings.

Council discussed the taxicab franchise issue further and then called for the question.

Motion

Councilmember Rose called for the question and it passed by a vote of 5-1, with Councilmember Urdy voting No, and Councilmember Spaeth out of the room.

Motion

The Council passed Mayor Mullen's motion, (stated above) seconded by Councilmember Shipman, by a 6-0 Vote, Councilmember Spaeth absent.

## ZONING CONTINUED

Mayor Mullen announced Council would continue with its zoning hearings. Council heard, closed the public hearing, and directed the City Attorney to draw the necessary ordinances for the following zoning cases:

C14r-84	R. OWEN COMPANY	8100-8200 Capital of	From Interim "AA" 1st H&A
170	OF TEXAS	Tx. Highway	To "O-1" CTH
	By Stephen Stiles		RECOMMENDED subject to
			dedication of 70' of
			right-of-way for Arterial
			#8 and reserve up to 150'
			of right-of-way from
			centerline of Loop 360.
			<u>GRANTED AS RECOMMENDED</u>

(On Councilmember Shipman's motion, Councilmember Duncan's second,  
6-0 Vote, Councilmember Spaeth absent.)

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C14 -73	DAN HEARD/JIM	750-826 and rear of	Termination of Restrictive
239	HOLDEN	876-998 Ed Bluestein	Covenant
	By Jim Nias	Blvd., 6101-6403 Bolm	<u>GRANTED AS RECOMMENDED</u>
		Road and 701-1015	
		Gardner Lane.	

(On Councilmember Shipman's motion, Councilmember Rose's second,  
6-0 Vote, Councilmember Spaeth absent)

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C14 -83	CITY OF AUSTIN	Tract 1: rear of	From Interim "AA" 1st H&A
302	OFFICE OF LAND	11634-11640	To Tr. 1: "O-1" 1st H&A
	DEVELOPMENT	Jollyville Road	Tr. 2: "A" 1st H&A
	SERVICES	Tract 2: 5717-5711	NOT RECOMMENDED
		and rear of 5703	RECOMMENDED "O-1" 1st H&A
		Penny Creek Drive	Tr. 1 subject to site plan
		and 11103-11106 Fox	in the event it is ever
		Way Drive	combined with another tr.;
			Tr. 2 "A" on 2.13 acres
			fronting Taylor Draper;
			"AA" on Lots 13, 14, 15,
			16, 17, 22 and "AA" on 1.6
			acres subject to dedication
			of up to 35' of right-of-
			way on Taylor Draper.

GRANTED TRACT 1 AS RECOMMENDED  
POSTPONE TRACT 2 TO OCTOBER 4,  
1984

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

9/6/84

## ZONING - (Continued)

C14-84 KENNETH J.  
189 WEDEIKES

1317 Rosewood Avenue

From "A" 1st H&A  
To "GR" 1st H&A  
RECOMMENDED  
GRANTED AS RECOMMENDED

(On Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, 5-1-0 Vote,  
Councilmember Shipman voted No, Councilmember Spaeth absent.)

C14 -84 EUGENE B. MAYS 1601 E. 7th Street  
195 By Thomas Pantin 607 Comal

From "A" 2nd H&A  
To "C" 2nd H&A  
RECOMMENDED subject to  
dedication of up to 35'  
of right-of-way from  
centerline on Comal  
Street and up to 60' of  
right-of-way from the  
centerline on East 7th  
Street.

GRANTED WITHOUT ROADWAY DEDICATION

(On Councilmember Urdy's motion, Councilmember Rose's second,  
6-0 Vote, Councilmember Spaeth absent.)

C14 -84 ROB ROY SOUTH, 7901 F.M. Highway  
204 LIMITED 2244  
By David B.  
Armbrust

From Interim "AA" 1st H&A  
To "BB", "LR" & "GR"  
1st H&A  
RECOMMENDED "BB" 1st H&A  
for the 19.19 acres  
delineated on the sub-  
division plat as Buffer  
Zone, "GR" 1st H&A for the  
portion of the tract at  
the intersection of FM  
2244 and Beardsley Lane  
extending 700 feet from  
the property line adjacent  
to Beardsley Lane, and  
"LR" 1st H&A with a  
residential density of  
12 units per acre, subject  
to site plan.

GRANTED AS RECOMMENDED

(5-1-0 Vote, Councilmember Shipman voted  
No, Councilmember Spaeth was out of the room.)

C14-84 205	ROB ROY SOUTH, LIMITED By David B. Armbrust	8221 F.M. Highway 2244	From Interim "AA" 1st H&A To "O" 1st H&A RECOMMENDED (as amended) "O" 1st H&A noting that residential use is to be tied to a density of 12 units per acre (A-2 zoning), subject to dedication of up to 45' of right-of-way from the centerline of FM 2244 <u>GRANTED AS RECOMMENDED</u>
C14-84 206	ROB ROY SOUTH, LIMITED By David B. Armbrust	7501 F.M. Highway 2244	From Interim "AA" 1st H&A To "LR" 1st H&A RECOMMENDED "O" noting that any residential use is to be tied to a density of 12 units per acre (A-2 zoning) subject to dedication of up to 45' of right-of-way from the centerline of FM 2244. <u>GRANTED AS RECOMMENDED</u>
C14-84 207	ROB ROY SOUTH, LIMITED By David B. Armbrust	7101 F.M. Highway 2244	From Interim "AA" 1st H&A To "O" 1st H&A RECOMMENDED subject to dedication of up to 45' right-of-way from the centerline of FM 2244. <u>GRANTED AS RECOMMENDED</u>
C14-84 208	ROB ROY SOUTH, LIMITED By David B. Armbrust	7701 F.M. Highway 2244	From Interim "AA" 1st H&A To "O" 1st H&A RECOMMENDED "O" 1st H&A noting that any residen- tial use is to be tied to a density of 12 units per acre (A-2 zoning), subject to dedication of up to 45' of right-of-way from the centerline of FM 2244.

GRANTED AS RECOMMENDED



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## ZONING - (Continued)

C14	-84	ROB ROY SOUTH,	7400 Newhall Lane	From Interim "AA" 1st H&A
	209	LIMITED		To "A-2" 1st H&A
		By David B.		RECOMMENDED subject to
		Armbrust		dedication of 60 feet of
				right-of-way for Newhall
				Lane.
				<u>GRANTED AS RECOMMENDED</u>
C14	-84	ROB ROY SOUTH	8000 F.M. Highway	From Interim "AA" 1st H&A
	210	LIMITED	2244	To "A-2" 1st H&A
		By David B.		RECOMMENDED subject to
		Armbrust		dedication of up to 30'
				of right-of-way from the
				centerline of Lowell Lane
				and up to 45' of right-
				of-way from the centerline
				of FM 2244.
				<u>GRANTED AS RECOMMENDED</u>

Councilmember Shipman expressed concern regarding the roadways and the ingress and egress to the properties. She also discussed water and wastewater to the area.

A complete transcript of the hearing of these seven cases is on file in the City Clerk's office.

(On Councilmember Rose's motion, Councilmember Duncan's second, 6-0 Vote, Councilmember Spaeth absent.)

## ZONING - (Continued)

C14-84 WILLIAM C.  
176 DAMERAU

3900 Valley View Rd.

From "A" 1st H&A  
To "BB" 1st H&A  
RECOMMENDED "BB" limited  
to 12 units per acre,  
subject to dedication of  
up to 30' of right-of-way  
from centerline on Valley  
View Road.

GRANTED "BB" WITH  
EIGHT TO NINE UNITS  
PER HALF ACRE

(On Councilmember Shipman's motion, Councilmember Duncan's second,  
6-0 Vote, Councilmember Spaeth absent.)

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C14 -84 JUDSON F. CARY  
184 By David C.  
Graeber

4926 Spicewood  
Springs Road

From Interim "AA" 1st H&A  
To "O-1" 2nd H&A  
RECOMMENDED (as amended)  
subject to dedication of up  
to 60' of right-of-way from  
centerline of Spicewood  
Springs Rd. and compliance  
with conditions by the  
Balcones Civic Assn.

GRANTED "O-1" 1st H&A, LIMIT HEIGHT TO  
30' WITH SITE PLAN APPROVAL AND RESTRIC-  
TIVE COVENANT AS SET FORTH BY BALCONES  
CIVIC ASSOCIATION

Marie Gaines reviewed.

Jack Morton spoke in favor of the change and David C. Graeber explained his plans.

Harold Wettingo opposed the 30' height and said no true site plan is available.

Bob Leonard, Balcones Civic Association, opposed the zoning change because he said it is spot zoning.

John German, Balcones Civic Association, said the height is a problem but feels 30' is reasonable.

(On Councilmember Rose's motion, Councilmember Duncan's second,  
5-1-0 Vote, Mayor Pro Tem Trevino voted No, Councilmember Spaeth  
absent.)

9/6/84

C14-84 JESSE L. DODSON  
159 By Alan Bell

612-616 North Loop

From "A" 1st H&A  
To "O" 1st H&A  
NO RECOMMENDATION

GRANTED WITH SITE PLAN APPROVAL  
BY PLANNING COMMISSION AND COUNCIL  
AND TRAFFIC INPUT ANALYSIS.

Marie Gaines reviewed.

Alan Bell, representing the applicant, discussed the project.

Mark Hall, a builder, said this is a chance to clear up the area and supports the zoning change.

Virginia Jo Kingsbury, daughter of the owners, supports the change. Jim Elliott, son of the owners, also supports the change.

(On Councilmember Rose's motion, Councilmember Duncan's second, 5-0 Vote, Mayor Mullen out of the room Councilmember Spaeth absent.)

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Zoning Cases Denied, Postponed or Pulled

Council acted upon the remainder of the zoning cases as follows:

C14 -84 CITY OF AUSTIN  
217 PARKS AND  
RECREATION  
DEPARTMENT

519 S. Pleasant  
Valley Road

From Interim "A" 1st H&A  
To "GR" 1st H&A  
RECOMMENDED

POSTPONE TO 9/20/84

(On Mayor Pro Tem Trevino's motion, Mayor Mullen's second, 6-0 Vote, Councilmember Spaeth absent)

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C14-84 CATHERINE HANKEY 3300 King Street  
167 By John Bolt  
Harris

From "A" 1st H&A  
To "O-1" 1st H&A  
RECOMMENDED (as amended)  
DENIED

Valid petition on file, so 5-1 vote needed for passage. Motion to Grant failed by a 2-4 Vote, Councilmember Shipman's motion, Councilmember Duncan's second, with Mayor Mullen, Mayor Pro Tem Trevino, Councilmembers Rose and Urdy voting No.

9/6/84

## ZONING - (Continued)

C14 -84	REV. A. D.	700-738 Eberhart Ln.	From Interim "A" 1st H&A
213	EBERHART	6100-6300 S. 1st	To "GR" 1st H&A
	By Jimmy Nassour	Street	RECOMMENDED subject to site plan review prior to City Council hearing, deed restriction prohibiting apartments and bars, dedication of up to 35' of right-of-way from Eberhart Lane.

PULLED FROM THE AGENDA BECAUSE OF  
LACK OF SITE PLAN

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

C14 -84	OLTORF-BEN WHITE	Proposed Oltorf	From Interim "AA" 1st H&A
074	JOINT VENTURE	Street and Ben	To "C" & "DL" 2nd H&A
	By URS Engineers	Boulevard	RECOMMENDED subject to letter of credit for 1/3 of the cost for a traffic signal at Bryant Boulevard/E. Ben White; total cost of 475' of left-turn lane storage; and total cost of a free right-turn lane for westbound E. Ben White and northbound Bryant Boulevard; all as agreed to by applicant.

POSTPONE TO 9/13/84

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

C14-84	GUY GOODWIN,	4600-4914 Weidmar	From "A", "AA", "B", "O"
203	ET AL	Lane	& "C" 1st H&A
	By Cary D. Jones	707-909 Shelby Lane	To "A" & "B" 1st H&A
		900-904 Colonial Park Drive	NOT RECOMMENDED
			RECOMMENDED "AA" 1st H&A for Tract 1 as per agreement between property owner and neighborhood; grant "B" 1st H&A subject to site plan, limited to 30 units per acre and buffer for homes on Colonial Park.

Applicant requested a 2-3 week delay.  
POSTPONE TO OCTOBER 4, 1984  
AT 4:00 P.M.

9/6/84

## ZONING - (Continued)

C14 r-84 DANNY M. WOMACK MoPac (Proposed) From Interim "A" 1st H&A  
013 By Brad Burns To "O" 2nd H&A  
NOT RECOMMENDED  
RECOMMENDED "O-1" tied  
to a site plan.

POSTPONE TO 9/20/84

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C14 -84 JAMES & KATHERINE 4203-4207 Bellvue From "A" 1st H&A  
187 TAYLOR, ET AL Avenue To "O-1" 1st H&A  
By Katherine Taylor NOT RECOMMENDED  
POSTPONE TO 10/4/84 @ 4 P.M.

C14 -84 LEONARD H. MEISKE, 4210-4214 Marathon From "A" 1st H&A  
194 ET UX Boulevard To "O-1" 1st H&A  
DOUGLAS W. TERRY NOT RECOMMENDED  
By Dick Wynn POSTPONE TO 10/4/84 @ 4 P.M.

C14 -84 NORMAN D. BROWN, 2810 A, B & C San From "A" 1st H&A  
200 ET AL Pedro To "BB" 1st H&A  
Valid Petition NOT RECOMMENDED  
DENIED

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

-----  
C14 r-84 TEXAS CHIRO- 901 East 15th Street From "A" 1st H&A  
063 PRACTIC ASSN. To "O" 1st H&A  
By Miguel Guerrero NOT RECOMMENDED  
DENIED

(On Councilmember Duncan's motion, Councilmember Shipman's second,  
6-0 Vote, Councilmember Spaeth absent)

C14 -84 ADON E. SITRA 11646 Jollyville From Interim "AA" 1st H&A  
178 Road To "BB" 1st H&A  
11331 Taylor Draper NO RECOMMENDATION  
Lane POSTPONE TO 10/4/84 @ 4 P.M.

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

## ZONING - (Continued)

C14 -80 THE VILLAGE OF 4800 McCarty Lane Review of Site Plan  
114 WEST CREEK for A-2" zoning.  
By Barry Campbell POSTPONE TO 9/20/84

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C14 -84 DR. WALTER MEYER 2607 Raedell Avenue From "A" 1st H&A  
111 To "A-2" 1st H&A  
Valid Petition NO RECOMMENDATION  
DENIED

(On Councilmember Duncan's motion, Councilmember Shipman's second,  
6-0 Vote, Councilmember Spaeth absent.)

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## CONTROLS FOR MONTOPOLIS AREA

Council had before them an ordinance to consider establishing  
interim development controls for the Montopolis Neighborhood Area.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's  
second, voted to continue the zoning cases on file and leave under  
the current Zoning Ordinance the cases pending and instructed the City  
Attorney to bring back an ordinance. (6-0 Vote, Councilmember Spaeth  
absent)

## LICENSE AGREEMENT

The Council, on Councilmember Duncan's motion, Mayor Mullen's  
second, adopted a resolution to enter into the following License  
Agreement: To allow the Encroachment of a structure over the West  
16th Street Alley, 300 block, and review every two years. (6-0 Vote,  
Councilmember Spaeth absent.)

## EXECUTIVE SESSION

Mayor Mullen announced Council would go into executive session  
pursuant to Article 6251-17, Texas Revised Civil Statutes Annotated,  
to discuss Board and Commission Appointments - Section 2, Paragraph g  
and pending litigation, Section 2, Paragraph e, Houston Lighting &  
Power Co., et al v. Brown & Root, et al in Matagorda County and City  
of Austin vs. Houston Lighting and Power Company in Travis County;

EXECUTIVE SESSION - (Continued)

Application of the City of Cedar Park before the Public Utility Commission to expand its service area; Overton vs. City of Austin; and Land Acquisition, Section 2, Paragraph f.

After such closed or executive session, any action to be taken will be done in open session.

LIBRARY COMMISSION APPOINTMENT

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, appointed Jacqueline Davis as a member of the Library Commission. (6-0 Vote, Councilmember Spaeth absent)

*Adjuin*

*12:55 am.*