



Austin City Council MINUTES

For

DECEMBER 1, 1983

--

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

Nicholas M. Meiszer
City Manager

Elden Aldridge
City Clerk

Memorandum To:

Mayor Mullen called to order the meeting of the Council scheduled for 1:00 p.m., noting the presence of all Councilmembers.

MINUTES APPROVED

Minutes of November 10, 17 and Special Meeting of September 21, 1983 were approved by a 4-0 vote on Councilmember Shipman's motion and Mayor Mullen's second. (Councilmembers Urdy, Rose and Mayor Pro Tem Trevino out of Council Chamber.

ZONING DISCUSSED

Gail Gray discussed her zoning rollback which occurred when, she said, she was not given proper notice and she is opposed to such action.

Mayor Mullen said the City needs information on where Miss Gray was in 1981 when the notice was sent. He asked that this be brought back on next week's agenda with information concerning the rollback.

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

Approach Main Ordinance

Approved amending the Approach Main Ordinance 820514-D Section C(9) and (11) related to establishing a time limit upon commitments for approved approach mains and establishing a service area for administratively approved approach mains.

Dredging & Shoreline Modification

Approved amending Chapter 9-10 of the City of Austin, Code, 1981, to include Parks and Recreation Board in review of dredging and shoreline modification proposals as they affect Lake Austin, Lake Long, and Town Lake.

Item Postponed

During the consent motion, Council postponed until December 8, 1983, consideration of approval of the creation of the South Austin Municipal Utility District No. 1.

Toys in Lieu of Fares

Approved establishing a special one-time alternative fare of "toys in lieu of fares" on all transit buses and fare schedules from December 4, 1983 to December 10, 1983, for "Christmas Fare".

Capital Improvements Program

Approved an ordinance receiving and accepting work of paving Cooper/Eberhart Lane, Phase I, existing of approximately 9 blocks. CAPITAL IMPROVEMENTS PROGRAM No. 78/62-31.

Speed Zones

Approved amending the Austin City Code to modify the following speed zones:

SECTION 11-2-99(d) (School Speed Zone) - 20 mph

Add: (1) Victory Drive from 432 feet south of south curb of Prather Lane to 566 feet north of north curb of Prather Lane.

Zoning Ordinances

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

- | | | | |
|----|---|---|---------------------------------------|
| a. | CITY OF AUSTIN
C14-83-180 | 6615 Manchaca, 1924
Barge Street | From "O" 1st H&A
to "O-1" 1st H&A |
| b. | CITY OF AUSTIN
C14-83-176 | 9226 Jollyville Road | From "O" 1st H&A
to "BB" 1st H&A |
| c. | ALICE GLENN DELEON
By J. Wade Bingaman
C14-83-156 | 1910 East 1st Street | From "C" 1st H&A
to "C-2" 1st H&A |
| d. | CHRIS V. COX
By Jim Wells
C14-83-192 | 5405 S. Pleasant
Valley Road and 4611-4615
E. Stassney Lane | From "LR" 1st H&A
to "C-1" 1st H&A |

December 1, 1983

ZONING ORDINANCES - (Continued)

- e. CITY OF AUSTIN
PLANNING DEPT.
C14-83-171 4213 and 4303 Speedway,
4007 & 4210 Avenue B From "B" 1st H&A
to "A" 1st H&A
- f. FRED O. HANKEY
By Lawrence H.
Kriegel
C14-83-124 2902 Pearl Street, also
known as 2904 Pearl Street From "A" 1st H&A
to "BB" 1st H&A
- g. CITY OF AUSTIN
PLANNING DEPT.
C14-83-185 3902-4103 Alexandria
8302-8409 Horton Trail
8000-8409 Treehouse
8000-8306 Cattle Drive
4000-4011 Lillian Lane
4000-4003 Kaylynn Place
4200-4414 Moloka Drive
4300-4508 Sarasota Drive
4300-4516 Clarno Drive
3911-4408 Eskew Drive
8000-9003 Los Ranchos
8100-8103 Manual Drive
3802-3832 Arrow Drive
8500-8501 Coastal Drive
4300-4307 Manzanillo Drive
7804-8003 Copano Drive
7708-7718 Islander Drive
7700-7907 Palacios Drive From Interim "AA" 1st
H&A to "AA" 1st H&A
- h. WESTLAKE II OFFICE
BUILDING JOINT
VENTURE
C14r-82-095 1515 Capital of Texas
Hwy. South, also bounded
by Camp Craft Road From Interim "AA" 1st
H&A to "O-1" 1st
& 3rd H&A
- i. JOHN K. AND NANCY W.
OSGOOD
By Don Bird
C14-82-213 5011 Hamilton Road and
10829 Jollyville Road From Interim "AA" 1st
H&A to "C" & "O"
1st H&A
- j. CHARLES E. MARSH,
III
By Phil C. Mason
C14r-83-150 Loop 360 & Wild Basin
Road From Interim "AA" 1st
H&A to "O-1" 1st
H&A

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ZONING - (Continued)

- k. ROBERT J. HUSTON 916 Capital of Texas Hwy. From Interim "AA" 1st
By Desiree H. H&A to "O-1" & "AA"
Pedreschi H&A 1st H&A
C14r-83-158

PASSED ON EMERGENCY BASIS

- l. ROBERT J. HUSTON 916 Capital of Texas Hwy. From Interim "AA"
by Desiree H. 1st H&A to "O" 2nd
Pedreschi H&A
C14r-83-159

PASSED ON EMERGENCY BASIS

- m. DELOIS J. FAULKNER 805 W. Martin L. King From "BB" 1st H&A
By James M. Amis Boulevard to "O" 1st H&A
C14-83-052

- n. ROBERT H. HOLMES 807 W. Martin L. King From "A" 1st H&A
By James J. Amis Boulevard to "O" 1st H&A
C14-83-053

AIRPORT TASK FORCE

Council had before them for consideration a resolution to create an Airport Task Force.

Motion

The Council, on Councilmember Rose's motion, Councilmember Spaeth's second, approved all or any number of Councilmembers who want to serve as part of the task force, in addition to nine citizen members. (5-2 Vote, Councilmember Duncan and Mayor Mullen voted No.)

Mayor Mullen said it is not a good idea to have the governing board as members of the task force.

LATER IN THE DAY:

Motion

The Council, on Councilmember Spaeth's motion, Mayor Pro Tem Trevino's second, approved a nine member task force plus no more than three Councilmembers as a part of the task force. (4-3 Vote, Mayor Mullen, Councilmember Duncan and Rose voted No.)

CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (7-0 Vote)

Capital Improvements Program

Authorized an amendment to Professional Services Agreement with Espey, Huston and Associates, Inc., Silverway Drive Bridge Project to include design services for Detention Pond north of U.S. Highway 183 and Channel Improvements to Shoal Creek from Greenlawn Parkway to Foster Lane. CAPITAL IMPROVEMENTS PROGRAM 82/60-05.

Approved selection of professional services for the compressed air energy storage for Peaking Electric Power Generation to Fenix & Scisson, Inc. - \$35,000.00 CAPITAL IMPROVEMENTS PROGRAM No. 81/12-03.

Approved selection of professional services for the pumped hydro energy storage for Peaking Electric Power Generation to Ebasco Services, Inc. - \$45,000.00 CAPITAL IMPROVEMENTS PROGRAM No. 81/12-03.

Consider confirmation and approval of emergency construction contracts for Jimmy Clay irrigation system - Phase I, II & III in the amounts of \$56,899.18 and \$96,018.56 and \$24,441.25 to the Robert Jentsch Construction Company. CAPITAL IMPROVEMENTS PROGRAM No. 82/23-85.

Contracts Approved

Approved the following contracts:

- | | |
|--|--|
| a. PAT CANYON EXCAVATING COMPANY
P. O. Box 908
Manchaca, Texas | - CAPITAL IMPROVEMENTS PROGRAM
Upper Shoal Creek Wastewater
Interceptor Phase II-A,
Water and Wastewater Department -
\$1,543,000 C.I.P. No. 72/23-16 |
| b. OEI, INC.
% R. D. Erb Company, Inc.
P. O. Box 12428
San Antonio, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Remote Terminal Units, Electric
Utility Department - \$528,006.00
C.I.P. Nos. 83/16-06, 75/11-01,
82/16-02, 77/16-02 & 82/16-03 |
| c. ACCRON CHEMICAL DISTRIBUTORS
3251 N. Pan Am Expressway
San Antonio, Texas | - Caustic Soda, Electric Utility
Department
Twelve (12) Month Supply Agreement
Item 1 - 200 tons - \$39,570.00 |

CONTRACTS - (Continued)

- d. TRANSAMERICA DELAVAL, INC.
5710 Ranson
Houston, Texas
 - Repair of Holly No. 3 Main Boiler Feed Pump Spare Element, Electric Utility Department - \$39,294.00
- e. MOTOROLA, INC.
5600 Chevy Chase Drive, Suite 510
Austin, Texas
 - Acquisition and installation of Radio Communications System, Electric Utility Department - \$1,455,670.00
- f. BLAUER MANUFACTURING COMPANY
160 N. Washington Street
Boston Massachusetts
 - Bullet Proof Vests, Austin Police Department
Twelve (12) Month Supply Agreement
Item 1 - \$17,175.00
- g. AUSTIN FORD TRACTOR, INC.
6600 E. Ben White Boulevard
Austin, Texas
 - Replacement and additional Tractor/Loader/Backhoes, Vehicle and Equipment Services Department
Item TLB-4 - \$95,788.00
- h. TOM FAIREY COMPANY
5005 E. 7th Street
Austin, Texas
 - Replacement Tractor/Loader/Backhoes, Vehicle and Equipment Services Department
Item TLB-5 - \$39,917.03
- i. HALL SIGNS, INC.
300 West 3rd Street
Bloomington, Indiana
 - Traffic Sign Blanks, Urban Transportation Department
Items 1.1 thru 2.7 - \$43,541.10
- j. TEXTILE SALES AND COMPANY
315 West Washington Street
Brownsville, Texas
 - Uniform Work Trousers and Shirts, Central Stores Division
Twelve (12) Month Supply Agreement
Items 1-3 - \$65,012.00
- k. D & S AIR DYNAMICS
900 Old Koenig Lane, Suite 119
Austin, Texas
 - Repair and Balancing of Air and Hydronic System, Library
\$11,950.00
- l. HEWLETT PACKARD
P. O. Box 32993
San Antonio, Texas
 - Twelve (12) Three Channel Electrocardiograph Machines with Carts, Brackenridge Hospital
Item -1 - \$66,802.80
- m. CILCO
c/o Lasertek
1717 Walnut Hill Lane
Irving, Texas
 - One (1) Automated Perimeter, Brackenridge Hospital
Item 1 - \$34,935.00

Item Postponed

Postponed until December 8, 1983, consideration of the following:

Bid award:

- Job Training Partnership Act (JTPA) Training and Job Placement Program for Fiscal Year 1984 (October 1, 1983 to June 30, 1984), Human Services Department - Not to exceed \$260,000.00
- (1) AUSTIN WOMEN'S CENTER(MBE) - Not to exceed \$110,000
1505 West 6th Street
Austin, Texas
- (2) SER-JOB FOR PROGRESS(MBE) - Not to exceed \$150,000
4704 East 1st Street
Austin, Texas

CDBG Funds

Approved CDBG funds for Standard Rehabilitation Loans in the following amounts and authorize staff to enter into appropriate contracts and to contract with the next lowest bidder in the event of default:

- a. Mastercraft Construction - \$18,490
- b. Imperial Construction - \$18,100
- c. Mastercraft Construction - \$14,300
- d. Mastercraft Construction - \$17,625
- e. Imperial Construction - \$16,500
- f. Texas Western Assoc., Inc. - \$19,700

Item Postponed

Consideration of a resolution to consider approval of contracts with:

- a. Austin Chamber of Commerce - \$527,500
- b. Mexican-American Chamber of Commerce - \$160,000
- c. Capital City Chamber of Commerce - \$25,000

was postponed until December 8, 1983.

Austin CableVision Equipment Fund

Approved authorizing the purchase of a 1/2" to 3/4" editing equipment system for an amount of \$20,000 from the Austin CableVision Equipment Fund.

Community Restitution Program

Approved entering into an agreement with the Judicial District Adult Probation Department for Travis County to engage in the Community Restitution Program.

Street Right-of-Way

Approved the dedication of certain City-owned property as public street right-of-way.

Public Hearings Set

Set public hearings on the following:

1. To consider an Industrial Development Bond financed project proposed by H.I. One Austin Partnership (Habitat Hotel) located at Highland Mall Boulevard between Airport Boulevard and Middle Fiskville Road: December 15, 1983 at 1:50 p.m.
2. To consider an Industrial Development bond financed commercial project proposed by H.I. One Austin Partnership (Habitat Hotel): December 15, 1983 at 1:45 p.m.
3. To consider an Industrial Development Bond finance project proposed by Highland Mall Center Joint Venture, located at Highland Mall Boulevard between Airport Boulevard and Middle Fiskville Road: December 15, 1983 at 1:50 p.m.
4. To consider an Industrial Development Bond financed commercial project proposed by Highland Mall Joint Venture, located at Highland Mall Boulevard between Airport Boulevard and Middle Fiskville Road: December 15, 1983 at 1:45 p.m.
5. The Texas Municipal Center Joint Venture, located at 500-502 East 11th Street, to consider designation of an area as an "Eligible Blighted Area" pursuant to Art. 51906, V.T.C.S., The Development Corporation Act of 1979: December 20, 1983 at 10:00 a.m.
6. To consider an Industrial Development Bond financed commercial project proposed by The Texas Municipal Center Joint Venture: December 20, 1983 at 10:00 a.m.
7. An Industrial Development Bond financed project proposed by the Texas Municipal Center Joint Venture located at 500-502 East 11th Street for the purpose of the federal tax law: December 20, 1983 at 10:00 a.m.
8. An appeal for David B. Vann, president, North Austin Civic Association, of the Planning Commission's decision concerning two apartment projects, Willowbrook Apartments I and Willowbrook Apartments II, C14p-83-107 & C14p-83-108: January 5, 1984 at 4:30 p.m.

9. Presentation of Community Development Block Grant Program report:
December 15, 1983 at 3:00 p.m.

PUBLIC HEARING SET

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, set a public hearing on Loop 360 Protection Ordinance for December 20, 1983 at 10:00 A.M. (7-0 Vote)

DISANNEXATION REQUEST ON DEL ROBLES STREET

Mr. Lillie discussed the annexation of land along 1325 and the request of citizens at a recent Council meeting to disannex land included in the annexation because it is causing hardship to their property. Council discussed and made the following motion:

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, requested staff to proceed with the annexation of the remainder of the subdivision of Plaza Granados, which includes Del Robles Street. (7-0 Vote)

HEMPHILL PARK

Mr. Roy T. Walker, Mr. Robert C. Harrington, Mr. Curt G. Schulze and Mrs. Denise M. Schulze appeared before Council requesting them to pass a resolution not to close, either temporarily or permanently, any of the bridges and/or streets bisecting or bordering Hemphill Park within Aldridge Place.

Motion

The Council, on Councilmember Rose's motion, Mayor Mullen's second, set a public hearing for January 12, 1983 at 5:15 p.m. concerning Hemphill Park. (7-0 Vote)

CIVIC CENTER TASK FORCE RECOMMENDATIONS

Joe Jerkins, general manager of KVUE-TV, discussed the present coliseum which he said is a re-converted B-29 hangar. He said the loss of business to Austin annually is estimated at \$10,000,000 because we do not have the proper convention facilities. Mr. Jerkins, as a member of the Civic Center Task Force, strongly recommended Council approval of a civic center for Austin.

DAVIS BUILDINGS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted a resolution approving an Industrial Development bond financed project for the Davis Buildings for the purpose of the Federal Tax Law and making the findings

DAVIS BUILDINGS - (Continued)

required by the Texas Industrial Development Commission. (7-0 Vote)

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted a resolution approving issuance by the AIDC of an issue in the amount of \$750,000.00 of the AIDC Industrial Development Revenue Bonds (Davis Building, Ltd. 1983) approving a resolution of the issuer authorizing the bonds, the issuance authorized thereby, the plan of financing, and approving the project. (7-0 Vote)

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted a resolution authorizing the issuance, sale, and delivery of \$500,000 single family Mortgage Revenue Bond, Series 1983, for Rosewood Village/Glen Oaks.

ITEMS PULLED

Council pulled until December 15, 1983, consideration of the following resolutions:

- (1) Consider a resolution approving a multi-family housing bond financed project for the Interregional Apartments, Joint Venture, for the purpose of the Federal Tax Law, and making the findings and determinations.
- (2) Consider a resolution approving the issuance of bonds by the Austin Housing Finance Corporation to finance a project for Interregional Apartments, Joint Venture, in the amount of \$1,750,000.

TEMPORARY MORATORIUM - SOUTHWEST PORTION OF THE CITY

Council had before them for consideration an ordinance amending Ordinance No. 831117-J related to the temporary moratorium on the processing of subdivision plats in the southwest portion of the City and its Extra Territorial Jurisdiction.

Councilmember Rose stated, "Two weeks ago when we passed the platting moratorium in the Southwest MUD area I told Council I would come back with an amendment to that ordinance. I have done that. Each of you received a copy of the ordinance and the map prior to the meeting. The boundaries will be properties fronting on Brodie Lane east and west, going over to Barton Creek, and the date of the moratorium would end January 13, 1983. In addition, after we take action on this moratorium, or irregardless of the action, I will ask Council to set a public hearing and schedule a vote on the condition of the southwest road system and Austin Roadway Plan for January 12, 1984.I hope after January 13, 1984, the Council will make a decision on what the road system in the southwest area will be. We have all our reports in....." Councilmember Shipman said this is a short period of time to get information on the roadway plan, and she wants a lot of facts before looking at the public funding. Mayor Mullen said this is a good opportunity to do a long range transportation study. Councilmember Rose said approved preliminary plats should be exempted from the study.

MORATORIUM - (Continued)

Motion

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 831117-J related to the temporary moratorium on the processing of subdivision plats in the southwest portion of the City and its Extra Territorial Jurisdiction with amendment that area include properties fronting on Brodie Lane east and west, going over to Barton Creek and moratorium to end January 13, 1983. (7-0 Vote)

Motion

The Council, on Councilmember Rose's motion, Mayor Mullen's second, set a public hearing for January 12, 1983 at 5:45 p.m. on southwest road system and Austin Roadway Plan. (7-0 Vote)

SOUTHWEST AUSTIN MUD'S 1, 2, 3 & 4

Council had before them an ordinance to consider approval of the creation of the Southwest Austin MUD's 1, 2, 3 & 4.

Gary Bradley discussed the creation of the MUD's. Concerning bonding authority, "we are asking 100% bonding authority allowed by the City as opposed to the current 75% level. We are seeking additional bonding authority for drainage improvements only. The additional bonding authority will be covered by our surcharge therefore neither the City of Austin nor its taxpayers will ever pay a penny for these improvements. It will be us and the residents of our districts that will pay the cost of protecting Barton Springs against any adverse impact from our development. Additional bonding authority for drainage is a helpful tool that does not cost the City anything. We have not heard objection from any organization, board or commission." Mr. Bradley said out of district service is a concern and read from their consent motion: 'With respect to all land for which annexation to the district or out of district service is hereafter requested, the District shall submit a land use plan covering the land for which annexation of out of district service is sought prior to the filing of any subdivision plat or any request for service connection to such land.' So before any out of district service, we have to submit a land use plan which must also be approved by you.Concern has been expressed about capacity in the area. We are willing for the City to size the lines in the area, whatever size it wants. We are not trying to deprive anyone of utilities. We feel utilities should be extended over the aquifer as quickly as possible and support the idea everyone should support the level of service they desire.The last issue highlighted by the staff was the offset of capital recovery fees against the cost of recharge enhancement dams. If the Council will not support us on this, then to us it is simply an indication the Council does not feel recharge enhancement dams are needed and if that is the will of the Council, so be it, but the evidence clearly says differently. I want to clear one last point. There seems to be some confusion about our density. Our land plan calls for total density of 4.4 units to the acre. We have not changed that at all. We have asked for a level of utility service at 5 units per acre due to the fact we anticipate dramatic changes in our land plan after the roadway amendments are made. As you

SOUTHWEST AUSTIN MUD -(Continued)

recall, five units to the acre is not only the level of service provided to the other districts in the area but it also is the anticipated density. Five units to the acre is not a minimum or even the actual density but rather, a maximum, and it is also not guaranteed. I've heard it expressed that everyone forming a district should be treated the same. So far, out of all the districts formed in this County, which is 30 plus, now, no two have been treated the same but if that is the goal of this Council, then let's truly treat everyone the same. I won't bore you with all the differences between our districts and the others in the area, but let me just give you one illustration. On undeveloped acreage in a MUD, given a percentage, the South Austin MUD's open space is 12%. The South Central Austin Growth Corridor MUD open space plus all the public utility easements is 16%. Maple Run open space and all their right of way is 19%. Circle C, on just its pure undeveloped acreage is 40.6%...1240 acres of undisturbed land, 745 acres of which will be a dedicated park. Don't tell me all the districts have been treated the same and are the same, they are not and never will be. If it's a goal of this Council that they should have always been, somebody should have told us a year ago before we knocked ourselves out to do a good job."

Councilmember Rose referred to the draft consent agreement with the differences between staff and the applicant. Councilmember Rose said staff should be instructed on the type of consent agreement and comply with the subdivision ordinance.

Linda Wiegman, Assistant City Attorney, went through the items on the consent agreement.

Council held a lengthy discussion. Method of drainage to purify the water was brought out and Councilmember Rose said that is not in the other MUD's. Mr. Ridings, Director of Public Works, requested they have final plans prior to subdivision approval and does not want bonding on something that would cost more than another. Councilmember Shipman said she would like to have the total fiscal impact to the City. Frank Rodriguez said the issue is how the drainage improvements will be classified and said they will be recovered through a surcharge if they are internal if they are regional, they will not.

Mr. Meiszer handed to Council a list of responses to some questions which had just been made available.

More discussion followed concerning the number of LUE's per acre.

Gregg Bell appeared and said the MUD should have a ten year period.

Mayor Mullen pointed out that we have always stayed with a four year period. He said this MUD is further from the City than other MUD's and at some time a clause of reasonableness should be built in so all MUD's are not four years. Then Mayor Mullen asked what happens if the district is approved and two are built out and the third is not, then how will the areas connect to the City of annexation. Ms. Wiegman said there must be an agreement.

Mayor Mullen said Council should review the information given them and come back later to vote on the item.

SOUTHWEST AUSTIN MUD - (Continued)

LATER IN THE DAY:

Motion

The Council, on Councilmember Rose's motion, Councilmember Duncan's second, instructed staff to prepare a consent agreement with the applicant's language on drainage for the internals, not grant out of district service, work out 5 LUE's, enhancement dam differential formula and annexation formula. (7-0 Vote)

It was agreed the applicant would meet the following morning, first with staff and then with Councilmembers Duncan and Rose to work out the details.

ETHICS REVIEW COMMISSION REPORT

Ms. Jean Dahlquist, vice-chairman, Ethics Review Commission, reported on their request to retain legal counsel for Ethics Ordinance matters concerning City Councilmembers, City Manager, and Assistant City Managers. (REPORT IS ON FILE IN THE CITY CLERK'S OFFICE.)

Mayor Mullen said he has asked the Travis County Bar Association to work out an interpretation and they will do that. Mayor Mullen said he is concerned because if people disagree with the findings of the Ethics Commission then "you characterize them as not properly interpreting the ordinance." Mayor Mullen said members of the Council work on the advice of the City Attorney and for the Ethics Commission to say they disagree with the attorney findings is not correct. The members of the Council are looking at the interpretation of the ordinance.

Ms. Dahlquist said one of the problems is that opinions from the City Attorney are asked for in private. Councilmember Duncan said that is not so. They ask for the attorney's opinion in open meeting and also request a written opinion and both are of public record.

Councilmember Urdy said it is confusing. If Councilmembers get a legal opinion from the City Attorney, he gets an interpretation. Then he is supposed to get another legal opinion from the Travis County Bar?

Jonathan Davis said the Municipal Judge has the final say concerning the conduct of a public official.

Discussion followed and Councilmember Rose said a new system needs to be set up. He wants the Travis County Bar Association to advise Council concerning the setting up of a new system.

ZONING HEARINGS

Mayor Mullen announced Council would hear zoning cases scheduled for 4:00 p.m. The Council heard, closed the public hearing, granted and instructed the City Attorney to draw the necessary ordinances to cover the following zoning changes:

C14-83	KRASOFF DEVELOP-	Rear of 11316	From Interim "AA" 1st H&A
218	MENT CORP.	Jollyville Road,	To "BB" 1st H&A
	By Miguel Guerrero	also bounded by	RECOMMEND
		Taylor Draper Lane	<u>GRANT AS RECOMMENDED</u>

(On Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, 7-0 Vote)

ZONING - (Continued)

C14 -83 226	DENNIS D. DEMENT	2211 Lake Austin Boulevard	From "A" 1st H&A To "O-1" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 r-83 229	WALTER A. TEW ELECTRIC, INC. By Rodney W. Tew	13579 Research Boulevard	From Interim "AA" 1st H&A To "C" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 r-83 236	WALTER VACKAR ASSOCIATES By Richardson Verdoorn	500 Capital of Texas Hwy. South	From "O" 1st H&A To "LR" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 -83 238	CITY OF AUSTIN PLANNING DEPT.	12213-12233 Mosley Drive 12237-12239 Mosley Drive 12313 & 12315 Cabana Ln. 12300-12308 Cassady Dr. 4000-4204 Parmer Lane 12600-12601 Silver Creek Dr., 12505-12509 & 12506-12510 Anhurst	From Interim "AA" 1st H&A To "AA" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 8-83 015.1	TOWNHOMES OF AUSTIN HILLS, P.U.D. By Randy Morine Developments	Floral Park Drive	A 56-unit residential development with recre- ational amenities and common area lots. EXISTING ZONING: Interim "AA" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED WITH EMERGENCY PASSAGE</u>
C14 h-80 011	HAYNES-DELAHWAH HOUSE By City of Austin	1209 Rosewood Avenue	From "C" 2nd H&A To "C-H" 2nd H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 h-83 024	NICOLDS HOUSE By J. G. Lancaster	1106 West 10th St.	From "A" 1st H&A To "A-H" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>

ZONING - (Continued)

C14 h-83 025	ROBINSON-MACKEN HOUSE By Betty Johnson	702 Rio Grande	From "O" 2nd H&A To "O-1" 2nd H&A RECOMMENDED GRANTED AS RECOMMENDED
C14 h-77 028	BERIAH GRAHAM By City of Austin	2605 Salado	From "B" 1st H&A To "B-H" 1st H&A RECOMMENDED GRANTED AS RECOMMENDED
C14 r-81 224	C. B. CARPENTIER By Don Bird (Lot 3)	4020 I. H. 35 South	Ordinance Site Plan Amendment RECOMMENDED GRANTED AS RECOMMENDED
C14 -83 090	LARRY PEEL By Planned Environments	4709 Spicewood Springs road	From "AA" & Interim "A" 1st H&A To "A-2" 1st H&A RECOMMENDED GRANTED AS RECOMMENDED

(On Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, 7-0 Vote)

C14 -83 222	15TH STREET BUILDING, LTD. By Martin L. Camp	417 W. 15th Street 1407-1411 San Antonio Street	From "O" 2nd H&A To "LR" 2nd H&A RECOMMENDED "LR" 2nd H&A applicant is to continue working with Urban Transportation Department. GRANTED AS RECOMMENDED
C14 -83 223	KALANI GROUP By Martin L. Camp	500-504 W. 15th St. 1500-1502 San Antonio Street	From "O" 2nd H&A To "LR" 2nd H&A RECOMMENDED "LR" 2nd H&A, applicant is to continue working with Urban Transportation Department. GRANTED AS RECOMMENDED
C14 -83 224	GIBRALTAR SAVINGS ASSOCIATION By Sherman Hart	5613-5631 Rain Creek Parkway 5601-5801 Lost Horizon Drive	From "AA" 1st H&A To "A-2" 1st H&A RECOMMENDED subject to 35 feet of right-of-way on Lost Horizon Drive. GRANTED AS RECOMMENDED
C14 -83 241	CITY OF AUSTIN PLANNING DEPT.	11970-11866 Jolly- ville road 11800-11813 Columbia Oaks Drive 6500-6504 Gregg Cove 6500-6507 Columbia Oaks Court	From Interim "D" 1st H&A To "A", "A-2", "LR" & "DL" 1st H&A RECOMMENDED subject to 30 feet of right-of-way on Woodcrest Drive from centerline. GRANTED AS RECOMMENDED

(Mayor Pro Tem Trevino's motion, Mayor Mullen's second-7-0

ZONING - (Continued)

C14 -83 C. B. FRANCIS 10606-10920 Jolly- From Interim "AA" & "O"
194 By Jean Bringol/ ville Road 1st H&A
Leo Danze To Tr. 1 "O" 1st H&A
Tr. 2 "BB" 1st H&A
NOT RECOMMENDED
RECOMMENDED Tr. 1 "O-1"
1st H&A & Tr. 2 "BB"
1st H&A limited to
17.7 units per acre.
GRANTED AS RECOMMENDED

(On Councilmember Duncan's motion, Councilmember Shipman's second, 7-0 Vote)

C14 -83 MORA INVESTMENTS, Rear of 10952-11000 From Interim "AA" 1st H&A
215 INC. Jollyville Road To "O" 1st H&A
By Robert W. Jackson RECOMMENDED
GRANTED "O-1"
WITH EMERGENCY PASSAGE

(On Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, 6-0 Vote,
Councilmember Rose was out of the room)

C14 -83 MICHAEL 707 West 18th Street From "B" 2nd H&A
213 CHRISTOPHER To "O" 1st H&A
WILLIAMSON RECOMMENDED "O" 1st H&A
By Barish & Van restricted to only
Helden those uses allowed in
Section 13-2-62 (a) 3,
4, 11 & 14, structure is
not to be demolished, and
compliance with off-
street parking require-
ments.

GRANTED "O" 1st H&A restricted to only those uses allowed in
Section 13-2-62 (a) (1), (3) (excluding barber, cosmetologists,
hairstylist or manicurist uses), (4), (11) & (14), with 4 off-
street parking spaces to be provided, structure is not to be
demolished.

(On Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, 6-0 Vote,
Councilmember Rose was out of the room.)

ZONINGS - (Continued)

C14 -83 CITY OF AUSTIN 232 PLANNING DEPT.	1502-1504 & 1507-1517 From "B" 1st H&A Murray Lane To "A" & "AA" 1st H&A 1502-1508 & 1507-1509 RECOMMENDED as amended Marshall Lane GRANTED AS RECOMMENDED 1702-1710 Windsor Road
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(On Councilmember Shipman's motion, Councilmember Spaeth's second,
6-0 Vote, Councilmember Rose was out of the room.)

C14-83 LAMAR VILLAGE 153 JOINT VENTURE By David Armbrust	1000-1022 W. 38th From "C" 1st & 5th H&A 3801-3811 Medical To "C" 2nd H&A Parkway RECOMMENDED as amended 1001-1019 W. 39th subject to restrictive & 3800-3835 N. covenant limiting Lamar height to 67½ feet, tied to site plan. <u>GRANTED AS RECOMMENDED TIED TO SITE PLAN AND LANDSCAPE PLAN</u>
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(On Councilmember Shipman's motion, Mayor Pro Tem Trevino's second,
7-0 Vote)

C14r-83 CITY OF AUSTIN 216 By Austin Avante Ventures, Ltd.	625 E. 10th St. From "B" & "C" 2nd 700-706 E. 9th St. H&A To "C" 4th H&A <u>GRANTED AS RECOMMENDED</u>
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Councilmember Duncan asked if the building is still in the hike and bike trail. He was told it is not and that it also is not in the view corridor. Councilmember Shipman said she understands there is a cemetery on the site and the Historic Commission had questions about the archeological information. Andy Ramirez said they have hired an archeologist who will be on site when drilling for the pilings and if there are any finds, appropriate action will be taken. The City Landmark Commission will also be kept informed.

Natalie DeBlois told Council that if the Ordinance regarding parking is observed, there should be 180 cars allowed for this site. However, they plan to park 367. She urged compliance with the ordinance.

Phil Conard discussed the central business district definition. He said if the zoning is "upped" the City should get an increase on their return, such as increased payment on the lease, or a building that relates to a major downtown amenity, Waller Creek. He said the ground floor of the building should have shops for pedestrian trade.

ZONING - (Continued)

Councilmember Duncan asked about the number of parking spaces. Mr. Ramirez said it is a case of if you lease office space you must have parking. Mayor Mullen wondered why the lease does not go up if Council is giving them new zoning. Mr. Ramirez said they are paying taxes for normal land leases on the improvements. Joe Morahan, Assistant Director, Public Works, stated, "We have an option for them to get a lease and the lease provides that the lease rate is based on the market value of the land so if the height and area is changed it increases the value of the land and will increase the lease payment automatically. There are offsets in there too. One involves for the ownership of the property or project by the Mexican-American Chamber of Commerce, one offset in the rental and there is an additional offset in the rental provided if they provide space to certain types of groups at less than market rate."

(On Councilmember Duncan's motion, Mayor Pro Tem Trevino's second,
7-0 Vote.)

C14r-83 AUSTIN MALL
212 COMPANY
By Walter Vackar
Associates

3000-3108 Tamarron
Boulevard
2026-2526 MoPac
Boulevard
1906 Doris Ann
Boulevard

From "LR" 1st H&A
To "LR" 2nd H&A
RECOMMENDED as amended
"LR" 2nd on the building
area where required and
1st H&A on the balance
with the following
conditions:

(1) Applicant be required to add another right turn lane from Tamarron Boulevard on to Loop 1; (2) The applicant will work with Urban Transportation Department to re-design the two most westerly drives off Tamarron that the TIA indicates are too short. The buildings served by the drives will not be moved closer to the neighborhood; (3) The applicant will work with Urban Transportation Department to determine his cost share of the traffic signal at Walsh Tarleton and Tamarron if volume of traffic warrants it; (4) Restrict the building labeled "Library/Theatre" to Library only; (5) No access will be provided to the park/conservation easement from the neighborhood. The Parks and Recreation Board is to make a recommendation on the feasibility of a park at this location prior to Council hearing; (6) Access to the site directly from MoPac will become a major entry to the project once that access is allowed; (7) Applicant will comply with the Barton Creek Ordinance.

GRANTED AS RECOMMENDED

Walter Vackar, applicant, said they are planning a multi-use office hotel project on the 35 acre tract. Approximately 14 acres are going to be developed. He pointed out they have been unanimously approved by the Planning Commission and by the Environmental Board. Also the Save

ZONING - (Continued)

Barton Creek people are behind his project.

Dave Graeber discussed the design of the building and Bob Richardson outlined the planned landscaping.

Harriet Strieber, Bee Caves Woods representative of Walsh-Tarleton Neighborhood Association. She said her subdivision is closest to the project and will be most affected. They are concerned with the traffic congestion which will be a result of this project.

An unidentified woman, as well as Anita Davis, Roger Osborn, Thomas Debner, and Chuck Taylor all spoke in opposition because of added traffic congestion and they said 2nd H&A is not warranted.

Craig Carrington spoke in support of the project.

Steve Brendt, Joe Riddell and Lynn Brigner spoke in opposition.

Mr. Vackar returned for his summation and said two acres of land will be dedicated to the City.

(On Councilmember Spaeth's motion, Councilmember Duncan's second,
(6-1 Vote, Councilmember Rose voted No.)

C14	-83	LAVACA SQUARE	300-320 W. 15th St.	From "C" & "C-2" 3rd H&A
	220	JOINT VENTURE	1500-1518 Lavaca	To "C" & "C-2" 4th H&A
		By Martin L. Camp	1501-1503 & 1511-1519	RECOMMENDED "C" & "C-2"
			Guadalupe	H&A, applicant is to
			301-321 W. 16th St.	continue working with
				Urban Transportation
				Department.
				<u>GRANT AS RECOMMENDED</u>

Natalie DeBlois said the building planned could be 3rd H&A but she is concerned with the garage. She does not like the plans presented thus far because the parking garage is isolated on a single block, seven stories high. Ms. DeBlois feels an attempt should be made to bring in retail at street level rather than just the parking garage.

Phil Conard discussed quality growth for downtown Austin.

Martin Camp, agent for the applicant, showed models of the project.

At this point, Mayor Mullen said the following zoning case

ZONING - (Continued)

will be considered with Case C14-83-220:

C14-83	15th STREET	301-321 W. 15th St.	From "C" 3rd H&A
228	BUILDING, LTD.	1411-1417 Guadalupe	To "C" 4th H&A
	By Martin L. Camp	1410-1418 Lavaca St.	RECOMMENDED "C"
			4th H&A
		BUILDING INSPECTION TO LOOK	GRANTED AS
		AT LOADING DOCKS	<u>RECOMMENDED WITH</u>
			<u>RETAIL SPACE ON</u>
			<u>LAVACA SIDE</u>

Mr. Camp continued by stating that what they are seeking in the 15th Street area with both of these projects (Ownership is different for the projects and Mr. Camp is applicant for both for the purpose of making them easier to present to the City but they are not owned by the same entity.) One Capital Plaza is planned to be the same size as the United Bank Tower across the street. Across from that where there is the existing United Bank parking lot would be the guest quarters hotel project. Both represent replacement of deteriorating or underutilized structures and offer the type of urban environment and amenities they want for the downtown area.

Ms. DeBlois is concerned with the loading dock area.

(Both cases approved on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, 7-0 Vote)

C14h-83 MOORE-FLACK HOUSE 901 Rio Grande
026 By Wayne Gronquist

From "O" 1st H&A
To "O-1-H" 1st H&A
RECOMMENDED "O-1-H" 1st
H&A for portion of
structure constructed
in 1887, based on items
a, d, f, h, i, k, l, &
m of the criteria.

GRANTED "O-1-H" ON ENTIRE TRACT WITH FINDING
OF FACT

(On Councilmember Duncan's motion, Councilmember Shipman's second,
7-0 Vote)

C14-83 HENRY WINSTON AULT 1900 Wickshire Drive From Interim "A" 1st H&A
230 To "O" 1st H&A
RECOMMENDED as amended
subject to 25' buffer
to the north, 25' buffer
to the west, including
driveway in area of
buffer, no impervious
cover underneath oak
tree (25' radius)

GRANT AS RECOMMENDED WITH SITE
PLAN APPROVAL

Mr. Lillie revealed by means of slides.

Sam Perry said he has the property under contract to sell

Rich Ellmer expressed his support

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

C14-83 JACK H. 9611 Dessau Road
231 BRIGHTWELL, JR.
By Erle Messengale,
Jr.

From Interim "AA" 1st H&A
To Tr. 1 "GR" 1st H&A
Tr. 2 "DL" 1st H&A
RECOMMENDED Tr. 1 "GR" 1st
H&A subject to 15' of
right-of-way on Dessau
Road; Tr. 2 "DL" 1st H&A.

GRANTED AS RECOMMENDED

Lynn Lane, representing applicant, spoke in favor of the change.

Councilmember Shipman opposes the zoning change because there is
no site plan and this does not show good planning. She said it is
speculative zoning and is also concerned with the availability of water
and wastewater.

(On Councilmember Spaeth's motion, Councilmember Rose's second, 5-1
Vote, Mayor Mullen out of the room, Councilmember Shipman
voted No.)

ZONING HEARINGS - (Continued)

C14-83	TONY GUERRERO,	1139 Springdale Road	From "B" 1st H&A
235	Jr.	1134-1144 Webberville	To "C" 2nd H&A
	By Kelly & Hickie, Road		RECOMMENDED as amended
	Attorneys		"C" 1st H&A restricted
			alcoholic beverage uses;
			auto laundries; auto
			repair garages; bus and
			truck storage, repair and
			sales; contractor's
			equipment, machinery and
			supplies, including road
			building and construction
			equipment, sale or rental;
			farm equipment or machin-
			ery, sale or rental;
			pawn shops; secondhand
			merchandise; septic tank
			and sewer cleaning service,
			a sheet metal shop, custom
			work; welding shops;
			welding supplies and
			equipment; wrecker services
			and B(1)(B) under Section
			13-2-67.

GRANTED AS RECOMMENDED

Councilmember Shipman expressed opposition to the zoning when the area is totally residential. Miguel Guerrero, representing the applicant, told her the zoning change is for a minority business.

(On Councilmember Urdy's motion, Councilmember Rose's second, 6-0 Vote, Mayor Mullen out of the room.)

Cases Withdrawn

Council voted to withdraw the following zoning cases:

C14-83	SCHROEDER-BROOKE	1106 Enfield Road	From "A" 1st H&A
198	DESIGN ASSOC.	also bounded by	To "O-1" 1st H&A
	By John M. Joseph	West 15th Street	NOT RECOMMENDED
			<u>WITHDRAWN</u>

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

ZONING - (Continued) (Cases Withdrawn)

C14-83	GAIL FULTZ KING	2114 Oxford	From "A" 1st H&A
217			To "BB" 1st H&A
			NOT RECOMMENDED
			<u>WITHDRAWN</u>

(On Mayor Pro Tem Trevino's motion, Councilmember Spaeth's second,
5-2 Vote, Councilmembers Duncan and Shipman voted No.)

Zoning Denied

Council closed the public hearings and denied the following zoning cases:

C14-83	BOWMAN &	910 Lydia Street	From "A" 1st H&A
219	ASSOCIATES		To "O-1" 1st H&A
	By Jeffrey M.		NOT RECOMMENDED
	Friedman		<u>DENIED</u>

(On Councilmember Shipman's motion, Mayor Pro Tem Trevino's second,
7-0 Vote)

C14-83	LOUISE MORSE	807 Blanco St.	From "B" 1st H&A
141			To "O-1" 1st H&A
			NOT RECOMMENDED
			<u>DENIED</u>

(On Councilmember Duncan's motion, Mayor Mullen's second, 7-0 Vote)

Case's Postponed

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, postponed the following zoning cases until January 5, 1983 at 4:00 p.m.: (7-0 Vote)

C14-83	EMILE JAMAIL	10400-10402 Bell Ave.	From Interim "AA" 1st
237		10409-10411 Sierra	H&A
		Nevada	To "A-2" 1st
			H&A
			<u>NOT RECOMMENDED</u>

ZONINGS POSTPONED - (Continued)

C14-83 PERSEO, INC. & 1111 West 11th St. From "B" & "B-H"
196 JOHN C. MILLER 2nd H&A
By Richard Hardin To Tr. 1 "O" 2nd H&A
Tr. 2 "O-H" 2nd
H&A

NOT RECOMMENDED
POSTPONE TO 1/5/84 @ 4 P.M.

Zoning Hearing Continued

The Council, by acclamation, approved continuing the following zoning case to December 8, 1983 at 4:00 p.m.:

C14-83 BARRY & JACKIE 5300-5304 Duval From "A" 1st H&A
214 GANNAWAY 404-406 E. 53rd To "O" 1st H&A
CONTINUE TO 12/8/83 @ 4 p.m.

PUBLIC HEARING POSTPONED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, postponed the hearing scheduled for 4:00 p.m. on the River Place MUD I and II to December 15, 1983 at 2:30 p.m. (7-0 Vote)

ANNEXATION HEARINGS

Mayor Mullen opened the public hearings set for 4:30 p.m. on annexation of the following:

- a. 441.2 acres of land for limited purpose out of the Theodore Wahrenburger Survey, Menucan Hunt Survey No. 105 and 106, and the Peter Conrod Survey No. 112 in Travis County, Texas, Milwood Sections 12 through 21 and unplatted land. C7a-83-014.
- b. 9.5 acres of land out of the Patterson Moore Survey No. 70 in Travis County, Texas, Allenwood Subdivision. C7a-83-015.

No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, closed the public hearings. (7-0 Vote)

PUBLIC HEARING - SERVICE AREA AMENDMENT

Mayor Mullen opened the public hearing set for 4:45 p.m. on amending the service area of the Water and Wastewater Utility to include approximately 59 acres of multi-family residential and office commercial development containing 456 L.U.E.'s for Highway 290 West.

No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending the service area of the water and wastewater utility to include approximately 59 acres of multi-family residential and office commercial development containing 456 L.U.E.s for Highway 290 West. (7-0 Vote)

PUBLIC HEARING - SERVICE AREA AMENDMENT

Mayor Mullen opened the public hearing set for 4:55 p.m. to amend the service area of the water and wastewater utility to include approximately 163 acres of residential development containing 377 L.U.E.'s for Canyon Creek I Tract.

Councilmember Duncan asked if this is in area IV or V. Scott Roberts told him a small portion is in Area V and the rest is in Area IV. Councilmember Duncan said he does not want a large portion in Area V.

Motion

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending the service area of the water and wastewater utility to include approximately 163 acres of residential development containing 377 L.U.E.'s for Canyon Creek I Tract. (7-0 Vote)

EXECUTIVE SESSION

Mayor Mullen announced Council would go into executive session pursuant to Article 6252-17 to discuss the following zoning case under Section 2, paragraph e, and after such closed or executive session, any action to be taken will be done in open meeting: C14-83-205, James W. Yett, 130601 Yett Lane, from Interim "AA" 1st H&A to "C" 1st H&A. Not recommended. Recommended "AA" 1st H&A.

RECESS

Council recessed its meeting at 11:22 and resumed its recessed meeting at 11:32 p.m.

ZONING HEARING

Mayor Mullen announced Council would hear the following zoning case. Council heard, closed the public hearing, granted and directed the acting City Attorney to draw the necessary ordinance:

C14-83	JAMES W. YETT	13601 Yett Lane	From Interim "AA" 1st H&A
205			To "C" 1st H&A
			NOT RECOMMENDED
			RECOMMENDED "AA" 1st H&A
			<u>GRANTED "O" 1st H&A</u>

Mr. Lillie reviewed by use of slides.

Mr. Meinrath, representing the applicant, Dr. Yett, said his applicant has owned the property for 25 years and for all that time he has operated a business on it, a fishing tackle supply company. "He filed the case when he found out the permit for construction was erroneously issued and applied for "C" zoning to continue his business use. The staff and Planning Commission treated this case as if Parmer Lane was not going to be developed and totally ignored the issue of traffic on Parmer Lane. The "C" zoning request is reasonable, given the location of the property right on Parmer Lane and the fact that it is close to Parmer Lane and the intersection of 1325 which will be a major intersection when that road is developed."

A man representing the neighborhood, who did not identify himself, showed slides. He said they are trying hard to stabilize the neighborhood and in so doing they are trying down-zoning. They want to keep from strip zoning Parmer Lane. He said "O" office of some type would be the most intensive use he can perceive for the land. Commercial seems totally inappropriate.

Mr. Meinrath stated, "I forgot to mention earlier, this is not a speculative zoning case. This is a continuation of the existing business which is a wholesale fishing tackle supply outlet. It is a low intensity commercial use for the property."

(On Councilmember Rose's motion, Councilmember Duncan's second, 7-0 Vote)

ITEM PULLED

Due to the request of Dr. James L. Bowman, Council pulled from the agenda his request for an appeal of the Planning Commission's decision to grant a Special Permit for the Wildwood Apartments C14p-83-096 which had been scheduled for 5:00 p.m.

ADJOURNMENT

Council adjourned its meeting at 11:39 p.m.