



Austin City Council MINUTES

For JUNE 2, 1983 - 1:00 P.M.

Council Chambers, 301 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
Acting 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.

INVOCATION

The Invocation was given by Reverend Charles Watts, Zion Hill Missionary Baptist Church.

BOARD & COMMISSION APPOINTMENTS

Mayor Mullen announced the following board and commission appointments are to be voted upon:

Community Development Commission - Mexican-American Chamber of Commerce will suggest a member.

Vending Commission - Angeli Licht and Joseph Hoover

~~Energy Advisory Commission~~
~~Affirmative Action Plan Advisory Committee~~ - Stuart Hersh and Enrique Lopez

Building Standards Commission - Terry Moore, Joe Walton, William Parr, William Wendt, Gene Vasquez and George Bowers.

Building Code Board of Appeals - Gary Jaster and William Fewell

On-Site Wastewater Task Force - Robert Morriss, Bob Meinzer and Ken Zimmerman

Motion

The Council, on Mayor Pro Tem Trevino's motion, Mayor Mullen's second, approved the above appointments as read into the record by Mayor Mullen. (6-0 Vote, Councilmember Rose was out of the room.)

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)

Release of Easements

Authorized release of the following easements:

- a. A 24' private roadway easement on Lot 19, Block B, Balcones Oaks III-A. (Requested by Mr. Wyatt E. Ewald)
- b. A Public Utility Easement located on the common lot line of Lots 2 and 3, Cater Joseph Subdivision Section One, Justin Lane west of Lamar Boulevard. (Requested by Wooten Investment Corporation)
- c. The 15' Public Utility Easement located on Lot 1-C, Resubdivision of Lot 1, South Creek Section 3/Lot 2, South Creek Section 3/Lot A, South Creek Section 2 (Bluff Springs Road at North Bluff Drive). (Requested by Paul S. Meisler Properties)
- d. A Sanitary Sewer Easement recorded in Volume 1752, Page 461 of the Travis County Deed Records, Foster Lane at Rockwood Drive. (Requested by Espey, Huston & Associates, Inc.)
- e. A portion of an Electric Easement recorded in Volume 7621, Page 724, and a portion of Drainage and Public Utility Easement recorded in Volume 7464, Page 313 of the Travis County Deed Records and located on Lot 9, Block C, of Quail Hollow 6-A, 1604 Morning Quail Drive. (Requested by N.P.C.)
- f. A portion of a 10' Public Utility Easement across the rear of Lot 2, Block CJ, Spicewood at Balcones Village Section 8, 11401 Pickfair Drive. (Requested by Hearne, Knolle, Lewallen, Livingston & Holcomb)
- g. A Drainage Easement recorded in Volume 7426, pages 493 thru 497 of the Travis County Deed Records and located on Lot 1, The Village at Meadow Mountain. (Requested by Jeryl Hart Engineers, Inc.)

Contracts

Approved the following contracts:

- | | |
|---|--|
| <p>a. SAFI AND ASSOCIATES, INC. (MBE)
5937 Hammermill Run
Austin, Texas</p> | <p>- CAPITAL IMPROVEMENTS PROGRAM -
East 6th and East 7th Street
Corridors, Phase III, Public
Works Department -
\$22,292.00 C.I.P. No. 82/62-19</p> |
|---|--|

CONTRACTS - (Continued)

- b. J & E DIRT WORKS, INC.
12406 Old San Antonio Road
Manchaca, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Robertson Hill Area Street
and Sidewalk Improvements
Phase IV, Juniper Street, Public
Works Department - \$19,499.09
C.I.P. No. 82/62-19
 - c. CLEARWATER CONSTRUCTORS, INC.
P. O. Box 15547 N.E. Station
Austin, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Rollingwood Drive Bridge at
Dry (Dellana) Creek, Public
Works Department - \$299,524.50
C.I.P. No. 82/60-05
 - d. CARROLL CHILDERS COMPANY
6905 Bellfort
Houston, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
Pre-fabricated Skid Mounted
Pumping Station, Parks and
Recreation Department
Item 1 - \$61,823.00
 - e. TRANS-TEX SUPPLY COMPANY
4618 East 7th Street
Austin, Texas
 - CAPITAL IMPROVEMENTS PROGRAM -
2500 ft. of 12" PVC pipe, Parks
and Recreation Department
Item 1 - \$13,975 C.I.P. No.
82/23-85
 - f. SHELL OIL COMPANY
2200 Main Street
Houston, Texas
 - 5,000 gals. transformer
oil for transformer
at Pedernales Substation,
Electric Distribution
Department - \$6,750.00
 - g. VITATEK
c/o International Biomedical, Inc.
512 South Freeway
Fort Worth, Texas
 - One (1) Neonatal
Physiological Monitor,
Brackenridge Hospital -
\$13,016.50
 - h. Bid award:
 - Paper Towels, All City
Departments
Six (6) Month Supply Agreements
Estimated total - \$11,318.00
- (1) BANCROFT PAPER COMPANY
2201 East 6th Street
Austin, Texas
- (2) CENTURY PAPER, INC.
10205 Metropolitan
Austin, Texas

CONTRACTS - (Continued)

- (3) GRAHAM PAPER COMPANY
210 Peden Street
San Antonio, Texas
- (4) LONE STAR PAPER COMPANY
200-201 East St. Elmo Road
Austin, Texas
- (5) SMITH SUPPLY COMPANY
5433 South Congress Avenue
Austin, Texas
- i. COHERENT
3270 West Bayshore Road
Palo Alto, California
 - One (1) Argon and Krypton
Ophthalmic Photocoagulator
Laser, Brackenridge Hospital
Total \$57,152.50
- j. Bid award:
 - Repair and Reassembly of a
Power Transformer, Electric
Utility Department
Total \$90,669.00
 - (1) OHIO TRANSFORMER
1776 Constitution Avenue
Louisville, Ohio
 - \$72,530.00
 - (2) WESTINGHOUSE ELECTRIC CORPORATION - \$18,139.00
201 North Saint Mary's Street
San Antonio, Texas
- k. SMYSER ASSOCIATES
12180 Branscomb Road
Branscomb, California
 - Professional Technical
Assistance in the Development
of a comprehensive conservation
and renewable resources program,
Electric Utility Department
Not to exceed \$9,200.00
- l. Bid award:
 - Sedans, Vehicle and Equipment
Services Department
Total \$182,507.00
 - (1) TOWN NORTH DATSUN
9150 Research Boulevard
Austin, Texas
 - Items AS-1.1, AS-1.2 - \$64,952.00
 - (2) HENNA CHEVROLET
7522 N. IH 35
Austin, Texas
 - Items AS-2.1, AS-4.1 - \$79,270.00

CONTRACTS - (Continued)

- (3) TOWN LAKE CHRYSLER-PLYMOUTH-IMPERIAL
841 West 6th Street
Austin, Texas - AS-2.2, AS-3.1 - \$38,285.00
- m. FRANK'S WASTE OIL SERVICE
6210 FM Road 973
Del Valle, Texas - Disposal by sale of Surplus Waste Oil, Vehicle and Equipment Services Department Six (6) Month Service Agreement
Estimated amount - \$8,712.00

Wastewater Approach Main Contract

Approved the following wastewater approach main contract:

- THE MEYERS GROUP - Wastewater approach main to service 62 acres Highway 183 tract. Estimated cost \$53,940. City cost participation is \$14,150.00

MUD Annexation

Approved a correction to the property included within the Lost Creek Municipal Utility District No. 1 boundaries by annexing 10.59 acres of the Lost Creek Country Club already served by the District.

CDBG Standard Rehabilitation Loans

Authorized and approved CDBG funds for Standard Rehabilitation Loans in the following amounts and authorized staff to enter into appropriate contracts:

- a. Lighthouse International (MBE) - \$15,851
- b. Texas Western Associates - \$17,158
- c. Lighthouse International (MBE) - \$13,809
- d. Texas Western Associates - \$14,677
- e. Imperial Construction - \$14,578
- f. Andtree Construction - \$18,357
- g. Austin JJJ Corp. - \$16,426
- h. Andtree Construction - \$17,350
- i. Austin JJJ Corp. - \$7,600
- j. Austin JJJ Corp. - \$15,797
- k. Imperial Construction - \$12,570

Grant Application

Authorized submission of a grant application in the approximate amount of \$12,000 for Title III Older American Act funds to the Capital Area Planning Council for the Senior Activity Center.

Public Hearings Set

Set public hearings on the following:

- a. An appeal filed by the Hyde Park Neighborhood Association on the Building Standards Commission to grant the following relocation permits for June 16, 1983 at 4:00 p.m.:

- (1) 4201 Speedway to Out of City
- (2) 4203 Speedway to Out of City

- b. Limited purpose annexation of approximately 1,303 acres of land along the Capital of Texas Highway:

June 15, 1983 at the site, 4:00 p.m.

June 16, 1983 in Council Chamber, 4:30 p.m.

and directed the City Planning Department to prepare the service plan.

- c. Limited purpose annexation of approximately 28.8 acres of land along the Capital of Texas Highway:

June 15, 1983 at the site, 4:00 p.m.

June 16, 1983 in Council Chamber, 4:30 p.m.

and directed the City Planning Department to prepare the service plan.

Items Pulled from Agenda

During the consent resolution Council pulled the following items from the agenda for two weeks:

- CAPITAL IMPROVEMENTS PROGRAM - Consider selection of Professional Engineering Services for Abilene Trail - Oak Hill Water Main for the Water and Wastewater Department. C.I.P. No. 83/22-25 (Action postponed May 26, 1983)
- Consider approval of vendor licensing guidelines and procedures.

CONSENT ORDINANCES

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

Operating Budget Amendment

Amended the 1982-83 Operating Budget by:

- a. Appropriating \$3,928 from the City of Austin Cable Access Funds for the purpose of providing Austin Community Television additional funding to increase staff for the period May 15, 1983 through July 15, 1983.
- b. Appropriating \$254,821 from the projected Electric Utility Ending Balance to provide fiscal year 1983 funding for a new Division of Energy Policy and Program Development in the Electric Utility Department for additional staff in the Energy Management Department.
- c. Appropriation of \$20,893 from the City of Austin Cable Access Funds in order to reimburse the City of Austin (Human Services Department) as previously stipulated by the Council on September 25, 1980. Funds to go to General Fund Ending Balance.

Capital Improvements Program

Amended the 1982-88 Capital Improvements Program by appropriating certain funds from the approved Transit 1983-84 and 1984-85 bond authorization to be used as matching funds for an Urban Mass Transit Administration Grant. CAPITAL IMPROVEMENTS PROGRAM Nos. 83/90-04 & 83/90-02.

Council Meeting Time Changed

Approved changing the starting time of regular City Council meetings to 12:45 p.m.

Water & Wastewater Rates

Approved increasing water rates by 10%.

Approved increasing wastewater rates by 10%.

South Austin Infill Study Area Moratorium Amendments

Approved ordinances amending the moratorium on the following: (5-2 Vote, Councilmembers Shipman and Duncan voted No.)

- a. Processing of Zoning Change Applications in the South Austin Infill Study Area.
- b. Processing of Special Permit Applications in the South Austin Infill Study Area.
- c. Sale of Water and Wastewater Taps in the South Austin Infill Study Area.

MORATORIUM - (Continued)

LATER IN THE DAY, Mr. Orin Cluck appeared during Citizen Communications to request exemption from tap moratorium to change a septic tank to the city's sewer system for property located at 6505 Manchaca Road. He said the Health Department had instructed him to do so because his septic tank is leaking. Council agreed this type of request is necessary to fulfill because it affects the health and welfare of the citizens of Austin.

Motion to Reconsider

The Council unanimously agreed to reconsider amending the moratorium on Sale of Water and Wastewater Taps in the South Austin Infill Study Area.

The following motion was made to be included with ordinance amendments on the South Austin Infill Study Area:

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, unanimously approved the following amendment:

- c. Sale of Water and Wastewater Taps in the South Austin Infill Study Area.
- d. In single family residences septic tank can hook on line at the request of the City Health Department if the septic tank is defective.

Zoning Ordinances

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

HERBERT C. CRUME,
By Carter Investments
C14-83-022

412 William Cannon Dr.

From "BB" 1st H&A
to "LR" 1st H&A

AUSTIN RENTALS JOINT
VENTURE
By J. Alton Bauerle
C14-83-023

1413 W. 6th Street

From "B" 2nd H&A
to "O-1" 1st H&A

TOWNSEND-THOMPSON
C14h-83-007

718 Congress Avenue

From "C-2" 4th H&A
to "C-2-H" 4th H&A

Item Pulled

Council pulled the following item from the agenda. It will be considered June 16, 1983: Consider amending the 1982-83 Capital Improvements Program and the 1982-83 Operating Budget by transferring \$55,000 from the Water and Wastewater Utility

ITEM PULLED - (Continued)

Fund Ending Balance to the Water CIP and appropriating funds for the Abilene Trail - Oak Hill Water Main Project.

INDUSTRIAL LOCATION POLICY

Councilmember Shipman and Mayor Pro Tem Trevino introduced an item to Council to consider appointing an interdisciplinary task force to facilitate an industrial location policy for the City of Austin. Councilmember Shipman stated this idea was introduced at the Council's work session concerning goals and objectives two weeks ago. She feels the task force should be kept at a working number of no more than eleven and prefers nine.

Mayor Pro Tem Trevino said it is important to begin this planning now to cover all ramifications, e.g. land use and area. He pointed out that MCC will bring in 400 people who are brains of the country and the support industries will need good technicians. Mayor Pro Tem Trevino said Austin should be able to provide training for our own people to do the jobs. He said there should be a work session and a public hearing before the task force is formed in order to have more time to develop the goals. Councilmember Shipman commented a new major employer locates here every 18 months. It was agreed Council will have a work session and date will be set by them in the near future.

CARVER MUSEUM

Councilmember Urdy introduced discussion of the future of the Carver Museum. Terry Childers, Assistant City Manager, suggested Council may want to appoint a Citizen's Advisory Board. Councilmember Urdy said he will bring back an item to appoint a Carver Museum Advisory Board.

VENDING COMMISSION NAME CHANGE

Mayor Mullen introduced an item for discussion to consider changing the name of the Vending Commission to Renaissance Market Commission and asked staff to draw up an ordinance and bring it back to Council.

ITEM FOR GOALS WORK SESSION

Councilmember Rose had put an item on the agenda for discussion to consider a resolution calling for a joint committee of Councilmembers and County Commission Members to consider mutual concerns regarding our County/City Road System. He requested discussion of this at the Council's goals work session.

APPEAL CONCERNING SPECIAL PERMIT

Mayor Mullen opened the public hearing set for 2:00 p.m. on an appeal from Mr. H.B. Howard of the Planning Commission's decision granting a Special Permit for

PERMIT - (Continued)

for Case No. C14p-83-005. Mayor Mullen announced the notices for the hearing erroneously stated the time as 4:00 p.m. Parties concerned said they would speak at 4:00 p.m. in the event others appeared at that time rather than 2:00 p.m.

LATER, at 4:00 p.m., the public hearing was as follows:

Mr. Lillie, Director of Planning, told Council this hearing had begun on an earlier date and was scheduled for today because of lack of notice of the hearing to the neighbors. The appeal from Mr. Howard concerns his objection to apartments being built on Parker Lane, next door to Mr. Howard.

Clark Heidrick, attorney representing Pat Casey Homes, reviewed the history of the site plan process for the apartments and said the Planning Commission unanimously approved the apartments.

Mr. H.B. Howard, 1908 Cedar Ridge Drive, told Council the apartments will be right next door to him with the roadway 18 feet from his bedroom window. The dumpster will also be near his house and he is afraid he will be overcome by carbon monoxide and garbage fumes. He said the 40 units on five acres will cause too much impervious cover so that when it rains it will cause flooding. Mr. Howard feels an apartment complex is poor planning in a residential neighborhood.

Jerry Hill, South River City Citizens, said they support the special permit because 8 units are better than the 12 they could have.

Mrs. Howard said she and her husband were not asked to attend the neighborhood meetings and she opposes granting of the special permit.

Edgar James, architect on the project, said there were some changes made, and it is a good project.

Norman Key, engineer on the project, said the site plan is adequate and there is no danger of flooding. Mr. James told Council parking and garbage will be away from Mr. Howard's property line.

Mr. Heidrick gave his summation and said the dumpsters will be moved.

Mr. Howard summarized and asked for an 8' fence if the project is granted and told Council that spot zoning is ruining the neighborhood.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Spaeth's second, closed the public hearing, upheld the decision of the Planning Commission, and approved the Special Permit. (6-0 Vote, Councilmember Duncan abstained.)

STATUS OF CURRICULUM DEVELOPMENT FOR AISD

Jerry Lawson, Administrator, Conservation and Renewable Energy Resources, appeared before Council, with a City Manager report on Status of Curriculum Development for AISD. He said they have been given funds to work on a program of energy related curriculum with AISD. The process has been underway for quite some time and this was their final report. A kit of energy information materials, like the ones given to teachers, was distributed to all members of the Council.

BILLBOARD ORDINANCE

Mr. Lonnie Davis, Director, Building Inspection, reported on the Billboard Ordinance which the City Council, last week, had directed the City Manager to secure an update for them. Mr. Davis referred to a copy of the Lubbock Billboard Ordinance which he had distributed to the members of the Council. Mr. Davis said the billboard regulations adopted in 1941 remained basically intact until 1972 when the State of Texas adopted the Highway Beautification Act and the City of Austin subsequently adopted the same regulations which is the heart of the City of Austin Billboard Ordinance. Since 1972 there have been five significant amendments to the Billboard Ordinance. In 1976 the sizing of billboards was reduced from 1200 square feet down to 700 square feet. In May, 1980, adopted height regulations for billboards located on the Interegional Highway and November 20, 1980 the scenic highway prohibition on billboards was established. On January 20, 1982 was the last and probably most significant amendment. It changed the spacing of billboards. Prior to that spacing requirements was 500' on Interstate and primary freeway systems. It was changed at that time to 1000'. On the balance of the highways through the City it was changed from 100' to 500'. Prior to the passage of that ordinance there were 70 permits for billboards taken out in the City of Austin. They are still going up today and Mr. Davis said eventually there will be a decrease through attrition. Mr. Davis recommended a moratorium on signs. Mr. Nias asked if the City can hold off issuing any more permits for a week while further determination is made. Mr. Terry Irion, Assistant City Attorney, said he does not know if they can ask Mr. Davis to slow down the process because if someone comes in for his sign that is legal under the ordinance it is Building Inspection Department's duty to honor it.

Mayor Mullen told Mr. Davis to tell people when they come in for permits that the Council will consider the shortest grandfather clause as possible.

After some discussion, Mayor Mullen asked that a notice be posted for a meeting at 7:15 a.m. on June 3, 1983 to take a vote on the billboard moratorium.

GARBAGE PICK-UP SERVICES IN ALLEYS

Mr. Richard Ridings reported on Garbage Pick-Up Services in Alleys. He showed slides of trucks in alleys with proof that there is no room for clearance of trucks in alleys. The report was a result of a request from Hyde Park residents that garbage be picked up in alleys rather than on the street. Mr. Ridings pointed out that trimming of vegetation in the alleys is not the answer and smaller trucks would be expensive and cause many problems. Mr. German discussed trucks with automatic containers but to try a pilot program would cost \$12,000.00. Councilmember Duncan recommended a surcharge for Hyde Park residents if they want preferential treatment.

STATUS REPORT ON BRAKER LANE & JOLLYVILLE ROAD AREA

Mr. John German, Director of Public Works, presented a Status Report on Braker Lane & Jollyville Road area. He said the Braker Lane Project is underway and there will be a right of way proposal soon. The Jollyville Road report has been put together by staff. He discussed water pressure in the area and said there should be the development of additional storage areas for adequate water pressure. Mr. Lillie told Council annexation process will be on the agenda this summer. Councilmember Shipman asked that Council be given further information in two weeks.

NORTH AUSTIN MUD NO. 1

Council had before it a resolution to consider entering into a supplemental agreement with the North Austin Municipal Utility District No. 1 to provide for oversizing of water and wastewater facilities through contract bonds.

Councilmember Duncan referred to a memorandum sent to Council (CITY CLERK DOES NOT HAVE COPY) that lists 7 reasons why the oversizing should be denied and it also states that it is now the desire of the Milwood Joint Venture that the oversizing not be done. "The concerns are that we reserve capacity to protect Austin's ETJ in the Cedar Park area. There are also some inaccuracies in the information given to us. We were given a map last week showing 720 acres in the approach main request and 2200 acres in the lake creek gravity flow to the North Austin MUD No. 1." Mr. Schwing, Director of Water and Wastewater, said there is approximately another 750 acres on the portion to the east. He said the additional area does not flow into the MUD and a pump station would be needed to bring the flow back from the southeasterly corner. Councilmember Duncan said the concern that has been raised is that Austin would not have the capacity to serve the area next to Cedar Park. All the area is in Growth Management Area 5. Councilmember Duncan requested that future requests in Growth Management Area 5, which is a low growth area, be so designated. He said he has concerns regarding capacity.

Mr. German, Director of Public Works, asked if the primary concern on the property is that which is generally known as Brushy Creek..the property north of 620 and generally just east of 183, which is the 2200 acre area.

There were questions asked by Council and it was determined to bring this back later in the day after Ed Wendler Sr. had a chance to work with the staff.

LATER IN THE DAY: Mr. German discussed the land area at 620 and east of 183 and said it can be served.

Motion

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, instructed the City Manager to instruct the City Attorney to bring back an ordinance on June 9 approving extending the area. (7-0 Vote)

1983-84 CDBG

Council had before it for consideration a resolution to consider approval of the 1983-84 Community Development Block Grant Program Scopes of Work for Specific Program Activities.

Councilmember Urdy made recommendations for changes to the East Austin Corridor Program.

Councilmembers Duncan and Shipman had some questions concerning Conservation and Renewal of East Austin Housing and Neighborhoods and Council made a motion excluding this area until later in the meeting when some determinations had been concluded.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Urdy's second, adopted a resolution approving the 1983-84 Community Development Block Grant Program Scopes of Work for Specific Program Activities with the exception of East Austin Housing and Neighborhood Conservation and Renewal. (7-0 Vote)

LATER IN THE DAY THE FOLLOWING MOTION WAS MADE:

Motion

The Council, on Councilmember Duncan's motion, Mayor Mullen's second, adopted a resolution approving East Austin Housing and Neighborhood Conservation and Renewal. (7-0 Vote)

CITIZEN DID NOT APPEAR

Mr. Leon Whitney, who had requested to appear before Council to discuss lack of response concerning his requests for refund of water and wastewater subdivision review and inspection fee for Spicewood Estates, Section Two, did not appear before Council. His problem had been resolved.

BOAT HOUSE DISCUSSED

Mr. Dana Copp appeared before Council to discuss living quarters above a boat house on land side of existing shoreline. He gave some information to Council. CITY CLERK DID NOT RECEIVE COPY. Mr. Copp said he wants to put a master bedroom above a boat house in a house he is building.

Mayor Mullen said Council needed more information and asked that this be put on the June 9, 1983 agenda as a resolution with adequate back up material.

Mr. Lonnie Davis, Director of Building Inspection, told Council that Mr. Copp's request has already been presented to the Parks Board and was denied.

BILLBOARDS DISCUSSED

Mr. Sam Griswold appeared before Council to discuss the proposed ordinance dealing with billboards adjacent to residentially zoned property. He represented the Delwood Neighborhood Association. Mr. Griswold requested Council to put some teeth into the ordinance to prohibit construction of billboards within 500' of homes.

PUBLIC HEARING TO BE CONTINUED

Mayor Mullen opened the public hearing set for 2:30 p.m. to consider amending the Electrical Code to require all electrical installations in the City of Austin Underground Distribution Network Area to be wired in metal conduit pipe.

Motion

The Council, on Mayor Por Tem Trevino's motion, Councilmember Spaeth's second, voted to continue the public hearing to July 7, 1983 at 3:00 p.m. (7-0 Vote)

RECESS

Council recessed its meeting at 3:45 p.m. and resumed its recessed meeting at 4:05 p.m.

POWER BOATS ON TOWN LAKE

The Council, on Councilmember Shipman's motion, Mayor Mullen's second, approved the request of Mr. George Tiedemann, National Sales Manager, Hammond Boat Company, for permission to operate four power boats on Town Lake in the vicinity of the Hyatt Regency for several hours on Tuesday, July 19, 1983 and Wednesday July 20, 1983 to introduce 1984 product line.

EXECUTIVE SESSION

Mayor Mullen announced Council will convene in a closed or executive session pursuant to Article 6252-17, V.T.C.S. to discuss the following matter. Any action to be taken will be done in open session.

Age discrimination in employment litigation - Section 2, Paragraph e.

RECESS

Council recessed for Executive Session at 4:08 p.m. and resumed its recessed meeting at 4:35 p.m.

EMPLOYMENT LITIGATION

As a result of discussion during Executive Session, the following motion was made:

Motion

The Council, on Councilmember Spaeth's motion, Mayor Mullen's second, adopted a resolution authorizing the City Manager to intervene into the lawsuit E.E.O.C. v. City of Waco, City of Killeen, and the State of Texas, A-82-CA-11, before the U.S. District Court, Western District of Texas. (7-0 Vote)

MORATORIUM DISCUSSED

Mr. Terry Bray appeared before Council to request exemption from the South Austin moratorium. He represents a partnership known as 30 Limited that has owned a piece of property in South Austin on Stassney Lane, just west of South 1st Street, since 1971. Mr. Bray said he has been asked to ask for exemption of filing for a Special Permit because they think the property has unique reasons for being exempt. He gave a history of the property and said an error in the field notes was discovered six weeks ago. A commitment for sewer service was made in 1971 or prior to that time. Owners of the tract paid to have a water line during the construction of Stassney. It ran beside Stassney and extended across during the reconstruction and stubbed out to this property at a number of fire hydrants. There is the necessary plumbing so one only has to tap into the line for the property. "We filed for final subdivision on the eight acres, which is the subject of my request, in December, 1981. We received back departmental comments that everything was clear with the exception of water and wastewater which was a surprise since we had made all the arrangements necessary for that service. We worked with staff to determine the situation and established that indeed the commitment had been made in 1971 for wastewater service and in connection with water lines for water service. The Department acknowledged that in January, 1983. We were in the process of preparing for filing and submission of a Special Permit application. We were advised not to file that until we got confirmation from the Water and Wastewater Department that indeed the service was available. The confirmation was not signed and delivered until toward the end of March, 1983. We went forward with our Special Permit application only to discover that the City's field notes dealing with drainage easement which had been requested and granted on the property was incorrect and we therefore had to go back and re-do our site plan completely because of the mistake in the Engineering Department on the field notes. This brought us up to May and at that time we became aware of the moratorium and we did not have the opportunity to file the Special Permit and move it through the process. We have a water and wastewater commitment, we have a zoning to allow the development of this tract for numerous purposes but not for the purpose for which we are seeking this special permit on an apartment project. We would have filed and processed that had we not run into a problem with City staff in trying to confirm the services. For that reason we request exemption."

Councilmember Duncan said he opposes the exemption because he believes this is a prime example of the type of case the moratorium is all about. It is land zoning, they want to put in apartments. Councilmember Spaeth questioned why, if the City made the error, does the applicant have to be penalized.

After some discussion, Mayor Mullen requested this be brought back for a decision on June 9, 1983 at 3:05 p.m. for consideration.

CITIZEN DID NOT APPEAR

Mr. Bill Moellendorf, who had requested to appear before Council to request exemption from tap moratorium to allow placement of a portable classroom at Dawson Elementary School, 3001 South 1st Street, did not appear.

SEPTIC TANK

Mr. Orin Cluck appeared to request exemption from the tap moratorium to change a septic tank to the city's sewer system for property located at 6505 Manchaca Road. (Council agreed, the ordinance listed on page 8 of this Minute Memo was reconsidered, and Mr. Cluck's circumstance included.)

SOUTH AUSTIN MORATORIUM

Mr. James Pinedo appeared before Council to discuss the South Austin moratorium. He expressed fears that the exemptions to the moratorium will water it down too much.

ZONING HEARINGS

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

C14-83 045	JIM HENERY	5602 Woodrow Street	From "A" 1st H&A To "BB" 1st H&A <u>RECOMMENDED (as amended)</u> <u>GRANTED AS RECOMMENDED</u>
C14-83 046	JACK C. GIBSON By Adan Castaneda	6516 Berkman Drive	From "B" 1st H&A To "O-1" 1st H&A <u>RECOMMENDED (as amended)</u> <u>GRANTED AS RECOMMENDED</u>
C14-83 048	H. DAVID HUGHES, TRUSTEE By David B. Armbrust	202 West 17th Street	From "B" 3rd H&A To "C" 3rd H&A <u>RECOMMENDED</u> <u>GRANTED AS RECOMMENDED</u>
C14-83 050	EDWARD JOSEPH DEVELOPMENTS, INC. By W. M. Faust	8313-8419 Cameron Rd. 8401-8405 & 8400-8422 Clear Creek Drive	From Interim "AA" 1st H&A To "B" 1st H&A <u>RECOMMENDED</u> <u>GRANTED AS RECOMMENDED</u>

ZONING HEARINGS - (Continued)

C14 -83 064	CITY OF AUSTIN PLANNING Department	Sidereal Drive, Phoebe Court, Terra Nova Lane, Adelphi Cove, Sceptre Cove, Mercury Lane, 4600-4702 & 4601-4703 Callisto Terrace 4300-4702 & 4301-4703 Ganymede Drive 4700-4804 & 4701-4800 Marblehead Drive 12300-12422 & 12301-12421 Turtleback Lane 12210-12430 & 12213-12421 Wycliff Lane 4600-4612 & 4601-4619 Hawkhaven Lane 4105-4715 & 4106-4714 Adelphi Lane 12412, 12413 & 12415 Blosswood Drive 4402 & 4403 Cavern Springs Road 4404-4514 & 4405-4511 Cumbria Lane 12208-12214 & 12209-12219 Arrowood Drive 4600-4612 & 4601-4619 Hawkhaven Lane 4500-4812 & 4501-4813 Pelham Drive 12300-12301 Bedrock Trail 4800 & 4801 Lemans Place 12314-12317 Antoinette Place	From Interim "AA" 1st H&A To "AA" 1st H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 h-83 011	SAMPSON-HENRICKS BUILDING By George S. Nalle, Sr. and Rush Properties	622 Congress Avenue	From "C-2" 4th H&A To "C-2-H" 4th H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>
C14 h-78 045	RISHER-ROACH BUILDING By Steven M. Frietag	513 East 6th Street	From "C-2-H" 4th H&A To "C-2" 4th H&A RECOMMENDED <u>GRANTED AS RECOMMENDED</u>

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

C14 -83 026	JOHNNIE G. ANDERSON By Howard E. Brunson	902 East 49th Street	From "C" 1st H&A To "C-1" 1st H&A RECOMMENDED "C-1" for building envelope, access is to be limited to Airport Boulevard. <u>GRANTED AS RECOMMENDED</u>
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(On Mayor Pro Tem Trevino's motion, Mayor Mullen's second, 7-0 Vote)

ZONING - (Continued)

C14 -83 HENRY WENDLANDT, 2222 Rosewood Ave. From "C" 2nd H&A
 063 JR. & GENE NAUMANN also bounded by To "C-2" 2nd H&A
 By Miguel "Mike" Chestnut Avenue RECOMMENDED "C-2" tied
 Guerrero to site plan.

GRANTED AS RECOMMENDED

Councilmember Shipman stated that she has never voted for a bar next to a park.

(On Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, 6-1 Vote, Councilmember Shipman voted No.)

C14	-81	WILSON FOREMAN	3416-3418 Duval Road	From Interim "AA" 1st H&A To "A-2" & "AA" 1st H&A RECOMMENDED EXTENSION <u>GRANTED EXTENSION</u>
	006			
C14	-81	WILLIAM S.	2103-2305 Montopolis	From "A" 1st H&A To "O" 1st H&A RECOMMENDED EXTENSION <u>GRANTED EXTENSION</u>
	055	SHIPMAN, TRUSTEE	Drive	
C14	-81	H. C. CARTER,	3816 Spicewood	From "BB" 1st H&A To "O-1" 1st H&A RECOMMENDED EXTENSION <u>GRANTED EXTENSION</u>
	149	SPICEWOOD, LTD.	Springs Drive	
			7901-7905 Baywood Dr.	
C14	r-81	CFC/HARDIN JOINT	8018-8114 Hwy. 290	From Interim "A" 1st H&A To "DL" 1st H&A RECOMMENDED EXTENSION <u>GRANTED EXTENSION</u>
	217	VENTURE	East	
C14	r-82	JOHN STREET	6200-6400 Balcones	From Interim "A" 1st H&A To "O" 1st H&A RECOMMENDED EXTENSION <u>GRANTED EXTENSION</u>
	021	DEVELOPERS	Drive	
			3419-3425 North	
			Hills Drive	

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

ZONING - (Continued)

C14 -83 JOE SMITH & FRED 6405-6409 Manchaca
001 MARTIN Road
By Virgil Waggoner

From Interim "A" 1st H&A
To "O" 1st H&A
Substitute motion to
grant "O" 1st H&A
restricted to 24 units/
acre for apartments and
provide site plan failed
by a vote of 3-4; original
motion to deny "O" 1st
H&A 4-3.

GRANTED "O" WITH 15' SET BACK
AND PRIVACY FENCE

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

RECESS

Council recessed its meeting at 6:00 p.m. and resumed its recessed meeting at 6:15 p.m. to continue zoning hearings.

C14 -83 JACK N. PRICE 501 West 38th Street
057 By John B. Sanford

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

GRANTED AS RECOMMENDED

Mr. Lillie, Director of Planning, reviewed the application by use of slides.

Mr. John Sanford showed plans.

Ruth Dreider and Dorothy Richter both expressed their approval.

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

C14 -83 FIRST CITY
043 NATIONAL BANK,
TRUSTEE
By Phil Mockford

1900-1902 West 35th
Street, also bounded
by Oakmont Blvd.

From "A" 1st H&A
To "O-1" 1st H&A
RECOMMENDED (as amended)
subject to 15' of
right-of-way on West
35th, driveway access
limited to Oakmont.

GRANTED WITHOUT 15' RIGHT-OF-WAY ON
WEST 35TH STREET

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

ZONING - (Continued)

C14 -83 FRANCES LORENA 2000-2012 Cullen Ave. From "A" 1st H&A
051 BRANTLEY, THOMAS 7008-7100 Hardy To "B" 1st H&A
M. PRICE, ARTHUR RECOMMENDED subject to
& VIRGINIA DUNLAP 5' of "A" along Hardy,
AND JAMES ARTHUR limited to 160 units,
& NANCY G. SMITH two-story units along
By Ultra Invest- Hardy only, subject
ments, Inc. to site plan approval.
GRANTED AS RECOMMENDED

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

RECESS

Council recessed its meeting at 7:50 p.m. and resumed its recessed meeting at 8:03 p.m. to continue zoning hearings.

C14 -83 ROBERT H. HOLMES 807 W. Martin Luther From "A" 1st H&A
053 By James J. Amis King Boulevard To "O" 1st H&A
RECOMMENDED subject to
restrictive covenant
submitted for Faulkner
Medical Center, noting
amendment to paragraph
#2 of restrictive
covenant to allow for
the proposed use only;
applicant is to work
with the Urban
Transportation to design
one-way driveway;
Building Inspection is
to give City Council
an interpretation of an
eleemosynary institution.
GRANTED AS RECOMMENDED

This was discussed in
conjunction with C14-83-052.

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

ZONING - (Continued)

C14 -83 DELOIS J. FAULKNER 805 W. Martin L. King
052 By James J. Amis Boulevard

From "BB" 1st H&A
To "O" 1st H&A
RECOMMENDED subject to restrictive covenant submitted for Faulkner Medical Center, noting amendment to paragraph #2 of restrictive covenant to allow for the proposed use only; applicant is to work with Urban Transportation to design one-way driveway; Building Inspection is to give City Council an interpretation of an eleemosynary institution.

Heard with C14-83-053

GRANTED AS RECOMMENDED

Jim Amis, representing the owner of 805 West Martin L. King, told Council use of the property will be for families to stay while a patient is being treated at Faulkner Medical Center. He said the property will be used as a residence hotel.

Eden Box, realtor for the buyers and sellers, told Council the use will maintain the neighborhood balance and urged their approval.

Dan Bowie, Executive Director Greater Austin Council on Alcoholism, and Kemp Forrest of the same group, both urged Council's approval. They said it is very important for families to be a part of the treatment.

Dick Stanford and Joe Maverick both spoke for the zoning change.

Suzanne Cannon, 1711 San Gabriel, said the neighborhood objects because the house should remain residential. She said they prefer guest quarters, but Council is being asked to zone straight "O".

Jim Martindale showed slides to illustrate the residential character of the neighborhood.

Barbara Duke, 1803 Pearl Street, asked for "B" zoning rather than "O".

Mrs. Perry Jones, who lives on Pearl Street, is against the zoning change.

Suzanne Cannon, as spokesperson for the neighborhood, summarized their position by stating their neighborhood does not need a great rejuvenation. She said they would not be opposed to a fraternity or a boarding house and asked Council if they can compromise to solve any problems. A discussion continued concerning parking, etc.

ZONING - (Continued)

Council discussed parking and other issues.

Motion

Councilmember Shipman made a motion, seconded by Councilmember Duncan, to deny "O" Office zoning. (C14-83-053)

Councilmember Shipman said she cannot support "O" zoning in a neighborhood because it goes with the land and is permanent. She said she cannot support office zoning on either tract.

Mayor Mullen asked Councilmember Duncan, "I heard you say you will support 'O' office for single use. Do you still support that?" Councilmember Duncan said, "For guest house use only, but I don't think that is acceptable to the applicant."

Mayor Mullen asked someone to make a friendly amendment to "O" Office with guest house use only.

Friendly Amendment

Councilmember Duncan offered a friendly amendment to zone "O" office for guest house use only. Councilmember Shipman accepted the friendly amendment.

Councilmember Spaeth asked if at some future date "that could be re-amended." Mr. Lillie told him that Council already has a policy on amending restrictive covenants. It goes back through the process like an original zoning case.

Councilmember Spaeth asked, "In a patchwork way are we back to the Planning Commission recommendation?" Mayor Mullen said probably, "That is exactly what the motion would be, to uphold the Planning Commission's recommendation."

Councilmember Spaeth asked to have the motion repeated.

Motion Restated

Councilmember Shipman said the motion is to permit "O" office zoning, restricted to guest house use only and tied specifically to the site plan as presented here this evening with the one way driveway on Pearl, exiting on West.

Councilmember Urdy asked if her motion applies to both cases. She said it applies to C14-83-053 only.

Jim Amis asked for a clarification. He said "as part of the hotel guest quarters we also need to be able to do counseling and have offices related to that as a part of our program. If we could clarify that we would be able to do that, in other words have our out patient counseling program as well as have family counseling for people who are living in the hotel guest quarters, we would be willing to concede to this question, but we have to have the capability to use it in concert with the program we are proposing." Councilmember Urdy said the Planning Commission recommendation was for the proposed use.

ZONING - (Continued)

Mayor Mullen asked, "Does the Planning Commission recommendation allow you to function but you are restricted, is that what I understand? Mr. Lillie, is that what the situation is?O.K., it's their use only."

Mayor Mullen referred to a letter from Urban Associates addressed to Richard Lillie, Director of Planning, and gave a copy to the City Clerk. Mayor Mullen read into the minutes the following letter from Urban Associates, Inc., 706 West Tenth Street, Austin, Texas 78701:

Re: C14-83-052
C14-83-053

Dear Mr. Lillie:

With respect to your request of May 17, 1983 regarding clarification of the proposed uses in the above referenced zoning cases, please be advised as follows:

1. The principal use proposed by the applicant is for hotel type use, or guest quarters, using the existing structures and to serve family members or concerned others of clients of The Faulkner Center, a residential treatment center for alcoholism and drug abuse located approximately one block away at 1904 Rio Grande Street, and other Faulkner Programs.
2. Guest rooms will be available for rental on a daily basis to serve transient occupancy of guests described above. All services will be on an individual basis, including meals, and are not a requirement of occupancy.
3. The properties, while owned by DeLois Faulkner, will be managed by Faulkner Guest Quarters, a Texas corporation established for profit.
4. Additionally, individual and group counseling may be provided in the meeting rooms associated in each facility. Further, family counseling on an out-patient basis may be offered.

Mayor Mullen said item 3 is not a part of the zoning case and should not have anything to do with it.

Roll Call on Motion with
Friendly Amendment

7-0 Vote

ZONING - (Continued)

Mayor Mullen then asked for a motion on C14-83-052.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, voted to approve "O" Office zoning, restricted to guest house use only and tied to the site plan. (7-0 Vote)

C14 -83 JAMES C. HUDSON
056 By Kenny Dryden

1700-1704 W. 6th St.

From "A" 1st H&A
To "O-1" 1st H&A
RECOMMENDED subject to
site plan, dedication
of 8' of right-of-way
on Augusta, upgrading
of Augusta to 30',
applicant is to pave
portion of alley
adjacent to subject
tract, traffic is to be
directed one-way east
on alley, fence is to
be constructed on north
property line.

GRANTED AS RECOMMENDED WITH TWO-WAY ALLEY

Motion

A motion was made by Mayor Pro Tem Trevino, seconded by Mayor Mullen to grant as recommended. Motion passed by 7-0 Vote.

LATER IN THE DAY:

Motion to Reconsider

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, voted to reconsider the zoning case. (6-0 Vote, Councilmember Urdy was out of the room.)

Mr. Lillie reviewed the application by means of slides.

Doug Nichols, representing the applicant, showed slides of the site plan. He said they will build three old style houses for offices.

Will Dibbrell and Rick Patrick spoke against the zoning change. They said residences can be built on West 6th Street.

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

ZONINGS - (Continued)

C14 -77 ALBERT VANDERLEE 12001 U.S. 183 From Interim "AA" 1st H&A
098 12200 Howlett Court To "O" & "A" 1st H&A
12100-12102 Bell Ave. RECOMMENDED EXTENSION
12000-12004 Tweed Ct. GRANTED EXTENSION
5901-5999 & 6000-6004 UNDER LANDSCAPE ORDINANCE
McCoy Road
BRING IN LETTER IN 10 DAYS FROM THE OWNER
AGREEING

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

C14 -83 DR. MAURICE COHN 1105 West 40th St. From "A" 1st H&A
027 By S. Leo Newman To "O" 1st H&A
& Richard Martinez NOT RECOMMENDED
GRANTED "O" WITH FOUR CARS
ONLY ALLOWED IN EIGHT SPACE
PARKING AREA AND NINE
POINTS OF AGREEMENT

Zoning application was reviewed by Mr. Lillie.

Tom Curtis, representing the applicant, told Council there is just one issue in controversy with the neighborhood....the disagreement concerning eight parking spaces on the rear of the lot. The neighborhood wants to allow only four cars to be parked there.

A man who did not identify himself, spoke about the parking.

Curtis Dickson, spokesman for the Rosewood Neighborhood Association, said they do not want this zoning change at all, but if it is granted they want the following nine points agreed to:

- (1) Both sides agree to A-Historical zoning on the front half of the lot where the residence sits. The doctors would actively seek historical zoning on the lot and agree to a covenant.
- (2) Covenant for A-H
- (3) "O" office on back half of the lot.
- (4) Doctors agree to a 5' strip of "A" residential along the entire west side of this lot and a 5' "A" residential on the south side of the lot. (If 5' cannot be done then neighborhood willing to look at 4')

ZONING - (Continued)

- (5) Agree to have 5' strip of "A" residential zoning on the west side of the current "O" zoned office lot where they are proposing to put up the building. (This would allow a complete buffer around the property.)
- (6) Agreement to restrict the 8 space parking lot on back half of lot to four staff cars only.
- (7) Agree to put a fence around the parking lot with appropriate landscaping.
- (8) If Historical zoning not obtained for house then they will agree to withdraw their zoning request for 18 months.
- (9) Applicant will not purchase any adjacent lots and agree to actively oppose any zoning change proposal on adjacent lots.

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

Zoning Hearings to be Continued

Council heard the following cases and voted to continue the public hearings as follows:

C14	r-83	JONES-PREWITT	9119-9143 Jollyville	From "O" 1st H&A
	029	DEVELOPMENT, INC.	Road	To Tr. 1 "O" 2nd H&A
		By Kinney Kaler	9372-9394 Research	Tr. 2 "LR" 1st H&A
		Crews	Boulevard	RECOMMENDED

PUBLIC HEARING TO BE CONTINUED JUNE 9, 1983
AT 2:00 P.M.

Mr. Lillie reviewed the application by use of slides. Information was given to Councilmembers. CITY CLERK DID NOT RECEIVE A COPY.

Gerard Kinney, with Kinney Kaler Crews architectural firm, told Council they plan an 80,000 square foot office area with two buildings occurring in the natural clearing of the trees. He showed plans. Water and sewer taps have been purchased.

Paul Crews said objections are to increased density but well planned growth is acceptable.

Sid Sanders, architect with Kinney Kaler Crews, discussed the lack of visual contact of buildings to neighborhood.

Leo Dodson, representing Freese & Nichols, engineers, said they have analyzed the traffic impact and it will not be too great.

ZONING - (Continued)

Bob Leonard, Balcones Civic Association, told Council that a year ago, the applicant submitted a different plan and said traffic would be impacted by the office and now they say it will not.

Ronald Renay, 4915 Hycrest, said he objects that re-zoning for one site will set the potential for the rest of the area. He said the traffic impact will change because of the zoning.

Thomas Sedbury, neighborhood resident, said he is afraid other tracts in the area will seek the same type zoning.

A woman who did not identify herself said the effect on 183 will be horrendous and will violate the recommendations of the 183 study.

Gary McKenzie, zoning chairman of Balcones Civic Association, showed a chart of the amount of traffic on Mesa across 183 and Jollyville Road.

Nick Brown, Balcones Civic Association, discussed the building and traffic impact.

Girard Kinney discussed the merits of their plan.

Discussion followed. Councilmember Shipman suggested the applicant and neighborhood meet and discuss their difference of opinions and made the following motion:

Motion

Councilmember Shipman made a motion, seconded by Councilmember Duncan to "direct the Planning Department and the Urban Transportation Department to conduct a thorough study in the area of Jollyville Road to Loop 360 to Mopac and make specific recommendations because the pending traffic problems, given the existing zoning that is already there, the narrowness of the roadway, how we are going to fund any improvements and that they include in this study Mesa all the way down to Steck, and that they also consider for the study the impact of two years of construction at the major interchange because it will have a bearing on traffic going down Steck to Mesa. Then move on with the transportation study separate from this specific case because this particular site is not the total problem and the merits of this site do not warrant a full study but the whole area does because it is undeveloped."

Councilmember Duncan said the neighborhood is not aware of one approved site plan and the applicants have a new site plan which the neighborhood has seen. The old site plan is in force and can be built right now. Mayor Mullen said the neighborhood should see what has been approved and compare it to what is being proposed.

Roll Call on Motion

7-0 Vote

ZONING HEARINGS - (Continued)

C14 -83 JOHN FELTER
060 By Leo Danze

5400-6404 Decker Lane From Interim "AA" 1st H&A
To "MH" 1st H&A
RECOMMENDED

PUBLIC HEARING TO BE CONTINUED ON
JUNE 16, 1983 AT 4:15 P.M.

Council unanimously agreed to continue the public hearing to June 16 at 4:15 p.m.

Johnny Rios appeared before Council to comment that he has been waiting for City services for five years. His property was annexed that long ago. He questioned that if this subdivision gets everything, when will his neighborhood get their services.

C14	-83	DR. LUCY MARRERO	800-804 South Center	From "O-1", "LR", &
	054	DR. DOYLE LESLIE	3604-3618 South 2nd	"A" 1st H&A
		By Mauro, Sarrett, Street		To "LR" 2nd H&A
		& Wendler		NOT RECOMMENDED
				RECOMMENDED "LR" 2nd
				for footprint only
				limited to 40' height,
				grant "O-1" 1st for
				remainder of tract,
				subject to Items 2, 3,
				4 & 5 of written
				agreement between
				applicant and neighbor-
				hood, dedicate 30' of
				right-of-way from
				centerline on South 2nd
				Street, accept alternate
				site plan.

PUBLIC HEARING TO BE CONTINUED JUNE 9, 1983
AT 5:00 P.M.

Council first approved this zoning request in a consent motion on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, 5-2 Vote, Councilmembers Duncan and Shipman voted No.

Later, when a member of the audience said they wanted to speak on the zoning change, Council agreed to reconsider their approval on Mayor Pro Tem Trevino's motion and Mayor Mullen's second, 6-0 Vote with Councilmember Urdy out of the room.

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

ZONING HEARINGS - (Continued)

Pending Zoning Applications
Hearing Continued

The following pending zoning applications will be heard on June 9, 1983 at 3:25 P.M.:

C14 -79 032	FRANK Y. SMITH	10540-11740 U.S. 183	From Interim "AA" 1st H&A To "O" 1st H&A RECOMMENDED EXTENSION
C14 -79 263	JOAQUIN ZENDEJAS	106-300 E. Rundberg Lane	From Interim "AA" 1st H&A To "LR", "O" & "A-2" 1st H&A RECOMMENDED EXTENSION

Continuation of hearings unanimously approved by Council,
no motion made.)

Case Referred to Planning Commission

The Council, on Councilmember Shipman's motion, Councilmember Duncan's second, referred the following zoning application to the Planning Commission for another public hearing: (7-0 Vote)

C14 -83 047	T. L. WEATHERS By S. A. Garza	Proposed extension of Pleasant Valley Road rear of Ware Road, also bounded by Benjamin Street	From "A" & "LA" 1st H&A To "BB" 1st NOT RECOMMENDED REFER TO PLANNING COMMISSION <u>FOR ANOTHER PUBLIC HEARING</u>
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Zonings Denied

Council heard and DENIED the following applications for zoning changes:

C14-83 041	MERLE A. & MARGARET P. LANG	1909 Parker Lane	From "A" 1st H&A To "B" 1st H&A NOT RECOMMENDED
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CLOSED PUBLIC HEARING AND DENIED

Mr. Lillie reviewed the application and said the owner wants to add one unit to his property.

Merle Lang, applicant, appeared before Council to say he originally had applied for "BB" but had been told he needs "B".

ZONING - (Continued)

Mr. Howard, who lives at 1908 Cedar Ridge, told Council that the requested change consists of spot zoning. He said he is surrounded by commercial property in a residential area.

Mrs. Howard spoke against the zoning request. She said it will ruin the neighborhood.

Mr. Lang returned to say he will have four car ports for the property.

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

C14 h-83	ROBINSON-MCNEAL	706 Rio Grande	From "0" 2nd H&A
012	HOUSE		To "O-H" 2nd H&A
	By City of Austin		NOT RECOMMENDED

CLOSED PUBLIC HEARING AND DENIED

Mr. Lillie reviewed the application. He said the owner does not favor the "H" zoning and has submitted a letter to that effect. This means Council would have to pass the request by a 6-0 Vote.

Blake Alexander, member of the Historic Landmark Commission, said they recommend "H" zoning. Betty Phillips, also a member of the Commission, spoke in favor of "H" zoning.

Robert Wagner, who owns the house, said this request is an erosion of the rights of personal property and is confiscatory. He said the Landmark Commission is trying to take from him part of his ownership.

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

C14-83	C. REX WOMBLE	6501 Shirley Avenue	From "B" 1st H&A
037			To "C" 1st H&A
			RECOMMENDED "C" 1st H&A
			subject to a privacy
			fence on the south, east
			and north property line,
			no access onto Irma, a
			site plan is to be
			submitted in the event
			a structure is constructed
			on the site. (4-4)

CLOSED PUBLIC HEARING AND DENIED

Mr. Lillie reviewed by use of slides.

Mr. Womble asked Council to approve.

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

PUBLIC HEARING - UMTA GRANT

Mayor Mullen opened the public hearing set for 5:30 p.m. to consider authorizing submission of a grant application to Urban Mass Transportation Administration for a Capital Assistance Grant totalling \$3,052,827.00.

Roger Baker read the following comments from Lyndon Henry, Executive Director, Texas Association for Public Transportation.

"On behalf of the Texas Association for Public Transportation I wish to express our support for the application for Federal Mass Transit Grant to acquire 13 full-sized busses and other items. This Grant and other efforts to bolster Austin's existing transit system are particularly important in view of the exciting possibility of implementing an expanded and upgraded mass transit system by a Metropolitan Transit Authority. And MTA will inherit the Austin Transit system. Hopefully, it will implement much needed changes such as restructuring the route system, dramatically improving service and starting a light rail system, but at MTA's point of departure will be the level of transit service it inherits from Austin Transit.

"We need to effect the highest level of service that we can now, with existing resources, so as to optimize MTA's success when and if it gets going. Currently, over 90% of the City transportation budget is allocated to roadway, in other words, subsidizing the automobile. We need to start moving towards the City transportation budget more equitable for transit and pedestrians. By allocating a greater slice of the transportation budget pie to transit, the City of Austin will have funds needed to start moving towards a decent transit system even before an MTA gets going.

"The present grant application is an improvement over the earlier proposal because this one would temporarily defer Park and Ride facilities in favor of increasing the bus And the Texas Association for Public Transportation is all for capital improvements for transit, but before proceeding with the implementation of six facilities, the transit development process should be integrated with possible plans for a new expanded system, which an MTA would probably implement, such as light rail. In other words, before jumping into Park and Ride projects, let's look more closely at where these projects should be located in terms of a new mass transit system.

"The transit grant application for requiring 13 full-size busses would allow us to do this and deserves support." These are Lyndon Henry's comments.

I would also like to make a few additional comments. The alternative that was proposed earlier and was voted favorably by the voters in the C.I.P. calls for Park and Ride facilities, and this has since been delayed, is recommended to be delayed by the Urban Transportation Department. But I think we need to look more closely at some of the costs that were proposed for the Park and Ride. For instance, they proposed a three-acre site on 183, which they estimated would cost about \$280,000 per acre.

HEARING - (Continued)

Now, in a recent Neal Spelce letter April 29, it says that frontage on U.S. 183 in the northwest was selling for \$80,000 an acre. So the huge discrepancy between what the business community estimates the cost is, and what Urban Transportation is estimating the cost as.. This maybe because the site hasn't been pinned down, but you know, I think we need to pin down the site first, before we start asking for money.. You know votes Austin voters and from the Federal government for building the thing. There is an incentive to inflate the cost because any cost overruns can be allocated into the administrative budget of the Urban Transportation Department. And that's probably good for the Urban Transportation Department administration, but it is not necessarily to the taxpayers. So I think we need to look more closely at the..at the cost of the Park and Ride system, and find out what a good location would be before we start to asking for money.

PLANNING COMMISSION MEMBER

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, appointed Jim Butler to the Planning Commission. (7-0 Vote)

MINUTES APPROVED

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, approved the Minutes of Regular Meeting of May 19, 1983 and May 26, 1983; and Special Meetings of May 15, 24 and 25, 1983. (7-0 Vote)

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, approved the minutes of April 28, 1983, (6-0 Vote, Councilmember Shipman abstained.)

ADJOURNMENT

Council adjourned its meeting at 11:00 p.m.