



**Austin City Council  
MINUTES  
For**

**SEPTEMBER 16, 1991 - 5:00 P.M.**

Mayor Pro Tem Urdy called to order the meeting of the Council, noting the presence of all members, except Mayor Todd, who he announced would arrive in a short time.

**PUBLIC HEARINGS**

1. 5:00 P.M. - Special exception to provisions of the Barton Springs Contributing Zone Interim Amendments to the Land Development Code, Ordinance No. 910221-E for the Storm 290 Subdivision (CB-86-040).

Council heard a presentation by Austan Librach, Director, Environmental and Conservation Services, who illustrated by means of maps and charts. He told Council that the special exceptions were not recommended by staff.

Terry Irion, representing the Storm Development, Inc., discussed the issue and his client's plans.

Council then recessed its meeting from 7:00 to 8:01 for executive session. When they returned, Mayor Todd opened the public hearing. Speakers cards are on file in the City Clerk's office. After discussion by Council, the following motions were made:

**Motion**

Councilmember Garcia made a motion, seconded by Councilmember Nofziger to refer this to the Planning Commission and Environmental Board.

**Substitute Motion**

Councilmember Reynolds offered a substitute motion, seconded by Councilmember Larson to pass the ordinance on **FIRST READING ONLY**, "Conditions would be applicants will have to meet the requirements of the 1986 Watersheds Ordinance and add Requirement 1: In addition to the controls proposed for the subject site the developer will construct and maintain water quality controls for an existing untreated off site developed area (or areas) within the same watershed and within one mile of the subject tract, and the developer will remove the additional 10%".

### Friendly Amendment to Substitute Motion

Councilmember Epstein offered a friendly amendment to "Vote on first reading today, direct it to boards and commissions as Councilmembers wish; have them have special meetings so their recommendations will come back before October 3, 1991, when second and/or third readings are passed". The friendly amendment was accepted.

### Roll Call on Motion with Friendly Amendment

4-3 Vote, Councilmember Nofziger, Mayor Todd and Councilmember Garcia voted No.

2. 5:30 P.M. - Special Exception to provisions of the Barton Springs Contributing Zone Interim Amendments to the Land Development Code, Ordinance No. 910221-E, for the John Phillips Tract (Westfield Center Subdivision).

Austan Librach, Director of Environmental and Conservation Services, presented the staff recommendation and discussed the exceptions. The applicant, represented by Bill Carson, discussed, as well as Chris Phillips, representing the Phillips family.

Council then recessed from 7:00 to 8:01 P.M. for executive session. The public was then heard. Speaker's cards are on file in the City Clerk's office.

### Motion

The Council, on Councilmember Larson's motion, Councilmember Reynolds' second, pass on FIRST READING ONLY, "Conditions would be applicants will have to meet the requirements of the 1986 Watershed Ordinance and add Requirement 1: In addition to the controls proposed for the subject site the developer will construct and maintain water quality controls for an existing untreated off site developed area (or areas) within the same watershed and within one mile of the subject tract and the developer will remove the additional 10%; and this will be referred to the Environmental Board and Planning Commission for recommendations to be brought back to Council before October 3, 1991". Motion passed by a vote of 4-3 with Councilmember Nofziger, Mayor Todd and Councilmember Garcia voting No.

### EXECUTIVE SESSION

Mayor Todd announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

3. Advice from Counsel - Section 2, Paragraph e

(a) Discussion of application for special exception to the provisions of the Barton Springs Contributing Zone Interim Amendments to the Land Development Code, Ordinance No. 910221-E, for the Storm 290 Subdivision (C8-86-040)

(b) Discussion of application for special exception to the provisions of the Barton Springs Contributing Zone Interim Amendments to the Land Development Code, Ordinance No. 910221-E, for the John Phillip's Tract (Westfield Center Subdivision).

4. Pending/Contemplated Litigation - Section 2, Paragraph e

(a) Discussion of the Summit at West Rim on Mount Larson proposed subdivision.

(b) City of Austin v. Houston Lighting & Power Co., Cause No. 86,13175-E.

5. Land Acquisition - Section 2, Paragraph f

(a) Review and discussion of right-of-way and easement acquisition for TSM Intersection Improvements - Rundberg Land at I.H. 35 West Frontage Road.

(b) Review and discussion of real property acquisition for the U.S. Highway Expansion Project, Parcel 5, Account #8014-1-73.

ACTION ON THE FOLLOWING

6. Approved a Resolution authorizing right-of-way and easement acquisition for TSM Intersection and Improvements - Rundberg Lane at I.H. 35 West Frontage Road for \$54,000.

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

7. Approved a Resolution authorizing real property acquisition for the U.S. Highway 183 Expansion Project, Parcel 5, Account #8014-1-73 in the amount of \$43,286.

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

ADJOURNMENT

The meeting was adjourned at 12:00 midnight.

