

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

August 1, 1974

1:00 P. M.

Electric Auditorium

301 West Avenue

The meeting was called to order with Mayor Pro Tem Love presiding.

Roll Call:

Present: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Pro Tem Love

Absent: Councilman Binder, Mayor Butler

It was noted that Councilman Binder was representing Austin in an official capacity by attending a conference of sister cities in Mexico.

The Invocation was delivered by REVEREND FRANK B. WALKER, JR., First Southern Presbyterian Church.

RECOGNITION

Mayor Pro Tem Love read and then presented a resolution signed by the Mayor and Council members recognizing Mr. Yuji Sakamoto's contribution of Lotus plants to the Taniguchi Oriental Garden in Zilker Park. Mr. Sakamoto thanked the Council and noted that it was a great honor to receive this. Mr. Jack Robinson, Parks and Recreation Director, indicated that Mr. Sakamoto had been very instrumental in assisting them in getting the plant.

ANNOUNCEMENT

Mayor Pro Tem Love took this opportunity to announce that earlier this week Councilman Lebermann had been named as one of the five outstanding young men in Texas by the Jaycees and had been recognized for his many community and personal successes and accomplishments.

APPROVAL OF MINUTES

Councilman Handcox moved that the Council approve the Regular Meeting Minutes of July 25, 1974. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

ZONING HEARING

It was noted that Mr. Dan Felts needed to be out of town and had requested that his zoning case be heard at this time. Pursuant to published notice thereof, the following zoning application was publicly heard:

GOV. ALLAN SHIVERS,	5300-5306 Joe Sayers	From "B" Residence
JOHN SHIVERS &	Avenue	1st Height and Area
C. McADEN	1500-1504 North Loop	To "LR" Local Retail
By Dan Felts	Boulevard	2nd Height and Area
C14-74-246		(as amended)
		NOT Recommended
		RECOMMENDED "LR" 1st Height
		and Area by the Planning
		Commission

Councilman Friedman moved that the Council grant "LR" Local Retail 1st Height and Area District as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "LR" Local Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

APPEAL OF ISSUANCE OF CREEK DEVELOPMENT PERMIT

Mayor Pro Tem Love opened the continued public hearing scheduled for 1:00 p.m. on an appeal by Mr. and Mrs. Howard L. Long of the decision of the Planning Commission approving the issuance of a creek development permit to Teague-Buda. Mayor Pro Tem Love reviewed this, noting that it had been postponed from July 25, 1974, pending discussion between the neighborhood and representatives of Teague-Buda.

Mr. Don Cox, President of the South River City Citizens, appeared and asked for another postponement in view of the fact that Mayor Butler and Councilman Binder were absent and that he felt the importance of this was crucial. In response to Councilman Dryden's question, Mr. Cox indicated that in their negotiations they dropped their request for a 25-foot setback and the special permit on the north portion of the property and that the only real issue had been that Teague-Buda eliminated the access to Reagan Terrace. He requested additional time in order that they review the plan for the trees. He noted that they had gone to the site with a landscape architect and had difficulty determining where the trees were located that would be cut.

Councilman Dryden understood their concern but did not know what they could accomplish in a week. Councilman Friedman felt that because this was the first hearing to be effected by the creek ordinance, additional time would not be harmful. Councilman Lebermann agreed, stating that this was the first genuine statement of Council in relation to the creek ordinance and felt that a one-week postponement would be useful. Councilman Handcox pointed out that he might not be present next week and wondered when there would ever be a full Council. Mayor Pro Tem Love felt that it was time for the Council to take action.

Mr. Dick Baker, representing Teague-Buda, noted that last week they had been opposed to the postponement and requested that Council act on the appeal today so that they might either proceed or know they had additional problems that had to be worked out.

Motion

Councilman Friedman moved that the appeal be postponed until next week. Councilman Lebermann seconded the motion.

Roll call showed the following vote:

Ayes: Councilmen Friedman, Lebermann
Noes: Councilmen Dryden, Handcox, Mayor Pro Tem Love
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the motion had failed to carry.

In response to Councilman Handcox's question with regard to whether or not the location of the trees had anything to do with the creek ordinance, Ms. Jean Mather stated that after having gone to the site, she could not determine that there was any agreement between this plan and what she found on the tract. She felt that the removal of the trees along the bank of the creek was in violation of the creek ordinance. She offered a suggestion of removing one bay of the building which would save 20 feet of trees on the bank and requested that in a separate motion the Council set up some sort of procedure so that a lay board or lay commission could analyze this sort of permit. She felt that the Council was going to have to say how much of a creek could be destroyed to put a building on it.

There was discussion by Ms. Mather and the Council. In response to Councilman Handcox's question, Ms. Mather did not believe all the trees were going to be saved that Teague-Buda said would be saved. Councilman Dryden indicated that it was his understanding that this complied with the ordinance insofar as possible and felt that any ordinance was going to have deviations. Mr. Cox felt that this plan was off just enough that it could have a detrimental effect.

Motion

Councilman Dryden moved that the Council uphold the decision of the Planning Commission approving the permit. Councilman Handcox seconded the motion.

Substitute Motion

Councilman Friedman moved that the Council uphold the decision of the Planning Commission approving the permit with the additional condition that the approval be subject to the preservation and retention of all trees over 6 inches in diameter along the banks of the creek. Councilman Lebermann seconded the motion.

In response to Councilman Handcox's statement that it was his understanding that this building was placed on the site to provide for maximum protection, Mr. Baker indicated that Mr. David Graeber of the architectural firm employed an engineering firm; and the trees were spotted on the survey by an engineering firm with transit and chain, and to the best of their knowledge they were true and correct. He added that they called the engineering firm to verify it was done in this manner, and they advised them that it was done and had certified it to be true and correct. He felt that if Councilman Friedman's motion were to pass, this would effectively kill any construction of the building on this site inasmuch as the building spanned the creek; and as a result of the building spanning the creek, it was necessary for some trees to be cut. He also felt that the building was designed in such a manner by Mr. Graeber that all of the trees that could possibly be saved in connection with the design of this building were saved. He concluded that every effort had been made to preserve as many trees as possible and yet utilize the site within the zone use district it was located. He stated that it was their position that they had tried to protect what was there and that to be required to protect every tree in excess of 6 inches in diameter would be impossible under the plans proposed.

Councilman Lebermann prefaced his second to the substitute motion by noting that the issue before the Council was the creek ordinance and whether the construction of a building over a creek really was the sense of the Council at the time the ordinance was passed, but he did not necessarily agree that it was incumbent upon every developer to save every tree over 6 inches.

Roll Call on Substitute Motion

Roll call on Councilman Friedman's substitute motion, Councilman Lebermann's second, showed the following vote:

Ayes: Councilmen Friedman, Lebermann
Noes: Councilman Handcox, Mayor Pro Tem Love, Councilman Dryden
Absent: Mayor Butler and Councilman Binder

The Mayor Pro Tem announced that the motion had failed to carry.

Roll Call on Original Motion

Roll call on Councilman Dryden's motion, Councilman Handcox's second, to uphold the Planning Commission's decision, showed the following vote:

Ayes: Councilmen Dryden, Handcox, Mayor Pro Tem Love
Noes: Councilmen Friedman, Lebermann
Absent: Mayor Butler and Councilman Binder

The Mayor Pro Tem announced that the motion had passed.

ZONING HEARINGS

Mayor Pro Tem Love announced that the Council would hear the zoning cases scheduled for 1:00 p.m. for public hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

WALTER WUKASCH
By Ben Smylie
C14-74-086

600 West 19th Street
1900 Nueces Street

From "C" Commercial
To "C-2" Commercial
RECOMMENDED by the Planning
Commission

Mr. Dick Lillie, Planning Department Director, reviewed this, noting it was a request for "C-2" Commercial which would permit a lounge and would require a special permit and that it had been approved by the Planning Commission subject to departmental requirements. Mr. Lillie felt that "C-2" was consistent with the "C" Commercial in the area and noted that the staff recommended the change. In response to Councilman Friedman's question, Mr. Lillie stated that the special permit was required because of the "C-2" Commercial use and looked to the location of the building, the parking, the lighting, signs, drainage, safety, fire protection, etc.

Ms. Shirley Birch, 1904 Nueces Street, submitted a petition with 10.4% of the property owners' signatures in opposition to this; therefore, it was not a valid petition. She indicated their reasons for opposition as follows:

1. They felt the actual usages in the area were not as zoned and that the area was predominantly residential.
2. They felt the change in zoning would be incompatible with existing uses on the adjacent property.
3. They felt the increase in traffic would diminish their fire protection.
4. They felt the slope of the lot would create a drainage problem.
5. It had been their understanding that the site development plan allowed for only internal changes, but she noted there had been external changes made as well.

Mr. Tom Stitt appeared as a representative of the Intercooperative Council, owner of the home located at 1909 Nueces. He expressed their general concerns for the area:

1. Concerned about all new forms of zoning exceeding "B" Residence that would have an impact on the West Campus Neighborhood.
2. They felt the neighborhood would seem well-suited for commercial usage, high density residential development with supporting business except for two reasons:
 - a. The existence of the shuttle bus system.
 - b. The stabilization of the University enrollment.

In response to Mayor Pro Tem Love's question with regard to the basic argument, Mr. Stitt noted there was basically no buffer zone for this neighborhood and wondered what sort of means would be used to protect the residents of this area from further intensified land usage due to increased traffic and noise.

There was discussion between Mr. Stitt and Mr. Ben Smylie, the applicant, with regard to the parking situation; and Mr. Smylie stated that he had agreed to do anything he could to alleviate the parking problem. Mr. Stitt asked how Mr. Smylie had been able to be open for business for the past two weeks with only a "C" Commercial usage. Mr. Stitt noted there was no way for Mr. Smylie to prepare food at the establishment; but Councilman Friedman noted the ordinance only required that food be served. In connection with this, Mr. Don Butler, City Attorney, indicated that if Mr. Stitt felt that there was a violation, a building official would be instructed to review this.

Mrs. Sophie Winfield, 1909 Rio Grande, stated that she was opposed to having a lounge this close to her home.

At this point, Ms. Birch presented the Council with a newspaper clipping from the Texan, in which Mr. Smylie ran an advertisement which did not indicate food was being served. Mr. Butler indicated this was a matter to be handled outside the zoning hearing. Mr. Smylie felt that 19th Street was heavily commercialized and added that this was a 24-seat bar or was 1,500 square feet in size.

After discussion, Councilman Handcox moved that the Council grant "C-2" Commercial District as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Pro Tem Love,
Councilmen Dryden, Friedman

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "C-2" Commercial District, and the City Attorney was instructed to draw the necessary ordinance to cover.

REVIEW OF ONE-WAY STREET SYSTEM

At this point, there was a request by Mr. Larry Bales, operator of Scholz's Garten at 1607 San Jacinto, to review the plan establishing the approved one-way street system for 16th, 17th, and 18th Streets. It was noted that this item was scheduled to appear later on the agenda, but Mr. Bales had to leave early and requested to be heard at this time. He felt that the problem with the change in the system was that customers would not be able to get to Scholz's which would have a detrimental effect on business. He also felt that this approved system would create more traffic problems.

Mr. Jim Parrish stated that he had studied the traffic flow of this system and concurred there was a need to make 16th, 17th, and 18th Streets one-way arteries but wished to reverse their directions in that they felt this would benefit traffic flow. He recommended the following:

16th Street be reversed to one way eastbound

17th Street be reversed to one way westbound

18th Street be reversed to one way eastbound

In response to Councilman Handcox's question, Mr. Parrish indicated that he had spoken to Mr. Alan Breacher of Urban Transportation and only exchanged ideas and that he could have his proposal in written form in a matter of hours. Councilman Handcox suggested that this matter be postponed in order that there could be a review of the alternate proposal.

Mr. Joe Ternus, Urban Transportation Director, indicated that he would be happy to review the alternative and come back to the Council. In regard to the City's proposal, he stated that in reviewing the entire area from Guadalupe to Trinity the traffic patterns would be most effective by having the streets in reverse of Mr. Parrish's proposal. He noted that a proposal had been submitted to the City to close 16th Street between San Jacinto and Trinity in order for the State Building Commission to build a parking garage in this area. He felt that the one-way system proposed by the City had been done after careful consideration of both the existing one-way pattern as well as future traffic patterns in this area and that it would not materially effect the business but should improve because it would provide parking access on both sides of the street.

In response to Mayor Pro Tem Love's question, Mr. Ternus wanted to undertake the establishment of the one-way system but indicated that he would review the plan suggested and work out any suggestions. Councilman Handcox moved that the Council postpone any action on this until August 15, 1974, pending further review of both plans. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox

Noes: None

Absent: Mayor Butler, Councilman Binder

ZONING HEARINGS - GRANTED - CONTINUED

The Council resumed with the Zoning Hearings scheduled for 1:00 p.m.

ROCKY HERNANDEZ &
RUDY HERNANDEZ
By Rudy Hernandez
C14-74-088

5409 Wasson Road

From "A" Residence
To "C" Commercial
RECOMMENDED by the Planning
Commission

Councilman Friedman moved that the Council grant "C" Commercial as recommended by the Planning Commission. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox, Lebermann

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "C" Commercial District, and the City Attorney was instructed to draw the necessary ordinance to cover.

JAMES K.	6801-6811 North Lamar	From "D" Industrial
EICHELBERGER, JR.	Boulevard	To "C-2" Commercial
C14-74-089	704-724 Raymond Street	RECOMMENDED by the Planning Commission

Councilman Lebermann moved that the Council grant "C-2" Commercial District, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox, Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "C-2" Commercial District, and the City Attorney was instructed to draw the necessary ordinance to cover.

EDMUND A GREBER	708-800 South First	From "A" Residence
By Martin H. Boozer, Jr.	Street	To "B" Residence
C14-74-093		RECOMMENDED by the Planning Commission

Councilman Dryden moved that the Council grant "B" Residence District, as recommended by the Planning Commission. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Pro Tem Love
Noes: None
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "B" Residence District, and the City Attorney was instructed to draw the necessary ordinance to cover.

ALVIN J. RICLES	6023-6205 South I.H.	From "A" Residence
By Douglas Hearne	35	To "GR" General Retail
C14-74-097		RECOMMENDED by the Planning Commission

Councilman Lebermann moved that the Council grant "GR" General Retail District, as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor Pro Tem Love
Noes: None
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "GR" General Retail District, and the City Attorney was instructed to draw the necessary ordinance to cover.

JOHN M. WEINSTOCK,
ET AL
Community Property
and Sole Owners
By Paul Davis, Jr.
C14-74-062

Various properties within
the old West Austin
Neighborhood located on
the following streets:
Harthan, Blanco, Baylor,
Oakland, Highland,
Brownlee Circle, Pressler,
Winflo, Shelley, West 6th,
6-1/2, 7th, 9th and 10th

From "B" Residence
2nd Height and Area and
"C" Commercial
2nd Height and Area
To "A" Residence
1st Height and Area
RECOMMENDED by the Plan-
ning Commission

Mr. Wilbur Hill, 910 Blanco, indicated that there were a number of residents in the area who were not in favor of this change and did not deem it a necessity. They felt that the change in zoning would be standing in the way of progress. In response to Councilman Friedman's statement that Mr. Hill's property would not be effected, Mr. Hill indicated that he had been misinformed in that he thought it would.

Mr. W. P. Watts, property owner in the area, felt that any time property was prohibited from having normal development there would be a blighted area and would be the beginning of the downfall of that area. Mr. Raymond Campi, realtor and owner of property on West 6th, felt that so many of the homes were in a rundown condition and that the property would decrease in value and would eventually become a slum in that some of the property owners might pass away; and the property might not be sold. Councilman Friedman thought the property owners had the right to do what they wanted with their property. Mr. Lillie noted that property of those who might pass on would go to their heirs as "A" Residence and that they could come back and request for rezoning to "B" Residence District.

In response to Mayor Pro Tem Love's question, Mr. Lillie indicated there were 77 property owners and that he had submitted a list identifying each parcel. He noted that Mr. W. H. Bullard owned the property located at 616 Pressler by contract of sale and was unwilling to authorize the rezoning of that property. He added that it was listed as #42 on the list; and should the Council decide to proceed with this application, they might consider deleting that particular property.

Mr. Paul Davis, representing the applicants in this case, noted that he had spoken with Mr. Bullard this morning and indicated that the person who was buying the property, Mr. Joe H. DeLeon, had such a small balance due on the contract of sale that if Mr. DeLeon wanted to go ahead and apply for rezoning of the property, it was satisfactory with him. In response to Councilman Friedman's question, Mr. Davis indicated that he did not have written confirmation of this. Councilman Friedman suggested that action on this particular piece of property be postponed pending a written document from Mr. Bullard. City Attorney Don Butler suggested that this application be handled subject to the written document.

Mrs. Elizabeth Odom, 614 Blanco, did not consider this a good neighborhood and wanted to postpone any action so that the Council might have the opportunity to hear from those in opposition. In response to Councilman Handcox's question, Mr. Lillie indicated that the names on the application had been checked with the tax list and all names had been verified.

Mr. Ralph Tippit, 808 Baylor, indicated that it had been his experience over the past 20 years in trying to get zoning changes that the Zoning Committee, Planning Commission, and Council had resisted the changes in zoning with the idea that spot zoning was not acceptable. He proposed that if these changes were rolled back on these properties, there was a spot zoning situation and wondered if this was a change of thinking of the Planning Commission. In response to this, Councilman Friedman did not think of this as a change but as a reaffirmation that residential communities should be developed wherever possible. Councilman Lebermann felt that this represented one of the most interesting and unique energies in favor of the stabilization and revival of a single-family neighborhood.

Ms. Helena Hardcastle, owner of property on West 6th, did not feel this proposal was in the best interest of the City. She did not believe this was a voluntary proposal by a lot of people and felt that some of the signatures had been obtained under pressure. In response to Mayor Pro Tem Love's question, Ms. Hardcastle believed anyone was entitled to request for zoning change if this was done willingly. She felt that this would not only have an effect on the value of the homes to be rolled back, but it would also have a definite effect on surrounding property. In conclusion, she did not see any reason for this rollback in that it would be a definite step backward and would be a detriment to controlled growth.

There was a request that the property of Mr. Fred Walker, 800 Pressler, be withdrawn from the application. It was noted that this was #75 on the afore-mentioned list.

Councilman Friedman moved that the Council grant a rollback to "A" Residence, 1st Height and Area District, as recommended by the Planning Commission for Application Nos. 1-77, including No. 42 subject to a letter of authorization from Mr. Bullard, and deleting No. 75 as requested. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Pro Tem Love,
Councilman Dryden
Noes: None
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "A" Residence, 1st Height and Area, and instructed the City Attorney to draw the necessary ordinance to cover.

In response to Mayor Pro Tem Love's question, Mr. Lillie noted that part of the Austin Tomorrow Program dealt specifically with neighborhood issues and noted that they had done a very detailed study of Travis Heights. He felt that the purpose was to identify those issues which made neighborhoods very important and vital to the community. He hoped to have before the Council as part of the Program policies, programs, and ordinances dealing with neighborhood preservation. He felt that this was a step in that direction.

H. C. CARTER, JR.
By Robert L. Davis
C14-74-096

1200 West 38th Street
1201 West 39th Street
(as amended - vacated
alley)

From "A" Residence
To "O" Office and
"LR" Local Retail
(as amended)

RECOMMENDED by the Planning
Commission on the vacated
alley to conform to the ex-
isting boundaries of "LR"
Local Retail and "O" Office
zoning to the west

Councilman Lebermann moved that the Council grant "O" Office District and "LR" Local Retail District, as amended, as recommended by the Planning Commission, subject to conditions. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Pro Tem Love,
Councilmen Dryden, Friedman

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "O" Office District and "LR" Local Retail District, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

PHIL MOCKFORD
Trustee for Nash
Phillips & Clyde
Copus, Jr.
C14-74-087

4629-4813 Manor Road

From "B" Residence
To "O" Office
NOT Recommended
RECOMMENDED by the Planning
Commission "O" Office on the
front 350' of the tract

Councilman Lebermann moved that the Council grant "O" Office on the front 350' of the tract as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Pro Tem Love, Councilmen
Dryden, Friedman, Handcox

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "O" Office District on the front 350' of the tract, and the City Attorney was instructed to draw the necessary ordinance to cover.

JAMES K. EICHELBERGER, 7115 Burnet Road
JR., LEE BLOCKER, LEON
HOWARD, & CHARLES
HOWARD
C14-74-090

From "GR" General Retail
1st and 6th Height and Area
To "C-2" Commercial
1st and 6th Height and Area
NOT Recommended
RECOMMENDED "C-2" Commercial
6th Height and Area on a
maximum area of 3,000 square
feet to be located within
360 feet of Burnet Road

Councilman Lebermann moved that the Council grant "C-2" Commercial, 6th Height and Area District on a maximum area of 3,000 square feet to be located within 360 feet of Burnet Road as recommended by the Planning Commission. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "C-2" Commercial, 6th Height and Area District on a maximum area of 3,000 square feet to be located within 360 feet of Burnet Road, and the City Attorney was instructed to draw the necessary ordinance to cover.

THE MOST REVEREND
VINCENT M. HARRIS
By John B. Selman
C14-74-098

3104-3108 Edgedale
Drive
5900-5908 Reicher
Drive

From "A" Residence
To "B" Residence
NOT Recommended
RECOMMENDED by the Planning
Commission "B" Residence
except on 25' on the west
boundary which is to remain
"A" Residence, subject to a
restrictive covenant limiting
the use to parking and play-
ground for the church only;
with a provision that zoning
would be rolled back to "A"
Residence if the property is
sold or used for any other
purpose; and subject to no
curb cuts on Edgedale Drive

Councilman Dryden moved that the Council grant "B" Residence except on 25 feet on the west boundary which is to remain "A" Residence District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann

Noes: None

Abstain: Mayor Pro Tem Love

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "B" Residence except on 25 feet on the west boundary which is to remain "A" Residence District, subject to conditions, as recommended by the Planning Commission, and the City Attorney was instructed to draw the necessary ordinance to cover.

WINNIE BROOKS,	3716-3818 Garden Villa	From "A" Residence
WILLIAM M. BROOKS,	Lane	To "O" Office
LOTTIE PEARL	1000-1116 Banister	NOT Recommended
JENNINGS, M. G.	Lane	RECOMMENDED by the Planning
THOMPSON		Commission "O" Office on the
By U. F. Jackson		southern 173.5' fronting
C14-74-099		Banister Lane; "A" Residence
		on the eastern 130' fronting
		Garden Villa Lane down to
		the recommended "O" Office;
		and "BB" Residence on the
		remainder of the tract,
		subject to 1/2 the right-of-
		way (5') to increase Garden
		Villa Lane from 40' to 50';
		70' of right-of-way for the
		proposed arterial; the
		remainder of right-of-way
		(10') to increase Banister
		Lane from 50' to 60'

Councilman Lebermann moved that the Council grant "O" Office on the southern 173.5 feet fronting Banister Lane; "A" Residence District on the eastern 130 feet fronting Garden Villa Lane down to the recommended "O" Office; and "BB" Residence District on the remainder of the tract, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann,
Mayor Pro Tem Love
Noes: None
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to "O" Office on the southern 173.5 feet fronting Banister Lane; "A" Residence District on the eastern 130 feet fronting Garden Villa Lane down to the recommended "O" Office District; and "BB" Residence District on the remainder of the tract, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

CLARKE-FRATES
CORPORATION
By Newell Boughton, Jr.
C814-74-014

Mesa Drive and
Myrick Drive

From "A" Residence
To PUD Planned Unit
Development
Revision to a portion of a
previously approved PUD
which includes the removal
of a proposed public street
along the north side (west
of Mesa Drive) and the
addition of five dwelling
units
RECOMMENDED by the Planning
Commission, subject to
compliance with departmental
requirements and granting a
variance to block length
requirements

Councilman Dryden moved that the Council grant the revision to a portion of the previously approved Planned Unit Development as recommended by the Planning Commission subject to conditions. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Pro Tem Love,
Councilmen Dryden, Friedman

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the change had been granted to revise a portion of the previously approved Planned Unit Development subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

ZONING POSTPONED

J. B. MOCK
C14-74-092

608 Radam Lane

From "A" Residence
To "C" Commercial
NOT Recommended

Councilman Dryden moved that the Council postpone this application until September 5, 1974. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Pro Tem Love

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the zoning case had been postponed.

ZONING WITHDRAWN

BRUNO MILBURN	4312-4314 Marathon	From "A" Residence
By Sharon Killey	Boulevard	To "Q" Office
C14-74-094	1101-1103 West 44th	NOT Recommended
	Street	

Upon the request of Ms. Killey, Councilman Handcox moved that the Council allow the withdrawal of this application. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Pro Tem Love, Councilman Dryden
Noes: None
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the zoning case had been withdrawn.

ANNEXATION HEARING SET

Councilman Friedman moved that the Council adopt a resolution setting a public hearing at 1:00 p.m. on August 15, 1974, to consider annexing the following:

Total of 55.33 acres of land:

35.77 acres of land known as TURBINE SOUTH, out of the Sims League. (Requested by Bovay Engineers, Inc., representing Nelson Puett, Jr., owner.)

2.46 acres of land known as TURBINE SOUTH ADDITION NO. 1, out of the Sims League. (Requested by Bovay Engineers, Inc., representing Nelson Puett, Jr., owner)

17.10 acres of land out of the Sims League. (Initiated by the City of Austin.)

The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox
Noes: None
Absent: Mayor Butler, Councilman Binder

RELEASE OF EASEMENTS

Councilman Lebermann moved that the Council adopt a resolution authorizing the release of the following easement:

A portion of the public utilities easement five (5.00) feet in width in Lot 3, Block E, MEADOWCREEK SECTION I. (Requested by B. F. Priest, Registered Public Surveyor, representing Provident Development Company, Inc., owner.)

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

Councilman Lebermann moved that the Council adopt a resolution authorizing the release of the following easement:

Certain easements five (5.00) feet in width for drainage and public utilities in the remaining portions of Lots 4, 5, 6, 7, and 8 of the WOODWARD INDUSTRIAL DISTRICT, a subdivision. (Requested by Snowden and Meyer, Inc., Consulting Engineer on behalf of Tynes Realty Company, owner.)

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

Councilman Lebermann moved that the Council adopt a resolution authorizing the release of the following easement:

A portion of the public utilities easement five (5.00) feet in width in Lot 20, Block E, DOVE SPRINGS, SECTION II, PHASE I. (Requested by Bryant-Curington, Inc., Consulting Engineers, representing Austex Development Co., Ltd., owner.)

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

Councilman Lebermann moved that the Council adopt a resolution authorizing the release of the following easement:

Portions of two (2) electric and telephone easements five (5.00) feet in width in Lots 12 and 13, Block C, VILLAGE OAK WEST, at 7801 Whispering Creek. (Requested by Ralph W. Harris, Registered Public Surveyor representing L. O. Jackson and Larry Jackson, owners.)

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

Councilman Lebermann moved that the Council adopt a resolution authorizing the release of the following easement:

A portion of the public utilities easement five (5.00) feet in width along the east line of Lot 6, Block K, MEADOWCREEK, SECTION ONE, also known locally as 7510 Shadywood Drive. (Requested by B. F. Priest, Registered Public Surveyor, representing Provident Development Company, Inc., owner.)

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

In response to Councilman Friedman's question, Mr. Reuben Rountree, Public Works Director, indicated that the list that had been requested of easements released would be forthcoming next week.

CONTRACTS AWARDED

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

JIM EAGLE SALES COMPANY	- For Rye Grass Seed, Parks and
P. O. Box 2411	Recreation Department.
Ft. Worth, Texas	Item 1 - \$8,908.63

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

BABCOCK & WILCOX CANADA, LTD.	- Repair parts for Horizontal Centrifugal
c/o Kinetic Engineering Corp.	Circulating Water Pump, Steam Turbine
2300 West Loop South	Unit No. 7, Seaholm Power Plant,
Houston, Texas	Electric Utility Department -
	\$15,747.00

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

CONCESSION SERVICES, INC.
401 East Braker Lane
Austin, Texas

- Concession, Food, Drink, and Miscellaneous Items for Zilker Park, Parks and Recreation Department. 2-1/2 year contract: \$12,500.00 annual guarantee plus 11.35% of gross receipts.

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

AUSTIN ROAD COMPANY
8419 North Lamar
Austin, Texas

- For construction of Street Improvements in Guadalupe Street from 24th Street to 29th Street - \$96,863.78

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

City Manager Davidson noted that the City's estimate had been \$67,000 and that there was a second bid that exceeded \$100,000. He indicated that he requested the staff to analyze the difference between the estimate and the low bid. He felt that possibly they had not made allowances for traffic conditions under which the contractors would have to work. He also felt that this was a reasonable bid and recommended it.

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

DALLAS-JETCO
3550 East Main Street
Grand Prairie, Texas

- Modification of Trencher, Vehicle and Equipment Services Department.
Item 1 - \$8,104.81

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

Councilman Lebermann moved that the Council adopt a resolution awarding the following contract:

CLIFTON METAL PRODUCTS	- Trailers, Vehicle and Equipment
2001 East Loop 820 South	Service Department.
Ft. Worth, Texas	Item 1; 1 ea. @ \$5,838.00
	Item 2; 1 ea. @ \$2,473.00
	Item 3; 1 ea. @ \$1,352.00
	Total - \$9,663.00

The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

CHANGE ORDER - AUSTIN ROAD COMPANY

Councilman Friedman moved that the Council adopt a resolution approving a change order to Austin Road Company in the amount of \$17,303.00 for construction of an asphaltic concrete level-up and overlay on Guadalupe Street from 29th to 45th Streets. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Pro Tem Love
Noes: None
Absent: Mayor Butler, Councilman Binder

CHANGE ORDER - ED H. PAGE COMPANY

Councilman Friedman moved that the Council adopt a resolution approving a change order to Ed H. Page Company in the amount of \$6,665.60 for street and drainage improvements, assessment paving consisting of 15 units. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Pro Tem Love
Noes: None
Absent: Mayor Butler, Councilman Binder

PLANNING GRANT AWARD

Councilman Friedman moved that the Council adopt a resolution authorizing the City Manager to accept a 701 Planning Grant award from the Department of Housing and Urban Development for \$59,804.00 to be used for the City's Comprehensive Planning Program. The contract period will be from June 1, 1974 to May 31, 1975. The motion, seconded by Councilman Lebermann, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Pro Tem Love
Noes: None
Absent: Mayor Butler, Councilman Binder

APPLICATION TO NATIONAL ENDOWMENT FOR THE HUMANITIES

The following item was postponed: Authorizing the City Manager to submit an application to the National Endowment for the Humanities, for possible funding of an \$100,000.00 grant to establish an Ethnic History Council and a supportive staff for the organization of local ethnic historical materials in the Austin-Travis County Collection of the Austin Public Library and the preparation of Multi-Ethnic exhibits in coordination with the Austin Bicentennial Celebration.

AGREEMENT TO HANDLE DISPLAY ADVERTISING RENTALS AT AIRPORT

Consideration of an agreement with Hart & Johnson of St. Louis, Missouri, to handle display advertising rentals at the Airport for a period of 5 years, was before the Council. Mayor Pro Tem Love noted that he had gone over this and had had personal experience with this type of contract and advertising approach; and after discussion with the Manager and the Airport, he felt this was the best approach. Mr. Roy Bayless, Director of Aviation, indicated that there was a 5-year option to be subject to performance in accordance with the City's standards and added that the City was not obligated for an additional term. Councilman Lebermann moved that the Council adopt a resolution authorizing the City Manager to execute an agreement with Hart & Johnson of St. Louis, Missouri, to handle display advertising rentals at the Airport for a period of 5 years, effective September 1, 1974. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Friedman, Handcox, Lebermann, Mayor Pro
Tem Love, Councilman Dryden
Noes: None
Absent: Mayor Butler, Councilman Binder

CAR RENTAL LEASE

Councilman Handcox moved that the Council adopt a resolution authorizing the City Manager to assign the National Car Rental, Inc., car rental lease; under the same terms and conditions for the period August 1, 1974 to September 30, 1975; from Car Rental Corporation of Austin to Thomas P. White, Jr., subject to approval of and assignment of the National Car Rental Franchise to Thomas P. White, Jr. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilmen Handcox, Lebermann, Mayor Pro Tem Love,
Councilmen Dryden, Friedman
Noes: None
Absent: Mayor Butler, Councilman Binder

HEARING SET ON PROPOSED CONSTRUCTION OF SOLID WASTE COMPACTION

Councilman Lebermann moved that the Council set a public hearing for August 15, 1974, at 1:00 p.m. on the proposed construction of a solid waste compaction and transfer facility on F. M. 620, approximately 1,000 feet north of the intersection of F.M. 620 and U. S. Highway 71, as requested by Johnny Voudouris, Travis County Commissioner. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Councilman Lebermann, Mayor Pro Tem Love, Councilmen Dryden,
Friedman, Handcox
Noes: None
Absent: Mayor Butler, Councilman Binder

POSTPONEMENT OF SOUTHERN UNION GAS COMPANY'S REQUEST FOR HEARING

It was noted that setting a public hearing for September 12, 1974, at 1:00 p.m. on the request of Southern Union Gas Company's requested gas rate increase was before the Council at this time. However, this item was postponed.

REQUEST FOR TEMPORARY PERMIT WITHDRAWN

Mr. John Stormont withdrew his request to appear before the Council to request a temporary permit for a mobile home on a construction site.

ZONING ORDINANCES - THREE READINGS

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
TRACT 1: LOT "A," MILLER-ATTEBURY ADDITION, SAVE AND EXCEPT THE EASTERNMOST 150 FEET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT; AND,
TRACT 2: THE EASTERNMOST 150 FEET OF LOT "A," MILLER-ATTEBURY ADDITION, FROM "A" RESIDENCE DISTRICT TO "LR" LOCAL RETAIL DISTRICT;
LOCALLY KNOWN AS 2808, 2900 and 2902 SOUTH 1ST STREET, ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (T. F. Attebury, George F. Miller & Ernie L. Miller, C14-72-100)

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann
Noes: None
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(1) LOTS 1 AND 2, BLOCK A, THOM FARRELL SUBDIVISION, SAVE AND EXCEPT THE EASTERNMOST TWENTY-FIVE (25) FEET OF LOT 2 WHICH IS TO REMAIN ZONED "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, LOCALLY KNOWN AS 4605-4615 SOUTH CONGRESS AVENUE; 100-146 SHERATON AVENUE AND 4600-4604 SUBURBAN AVENUE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL, SIXTH HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SIXTH HEIGHT AND AREA DISTRICT; AND,

(2) LOT 12, GLENVIEW SUBDIVISION, LOCALLY KNOWN AS 3403 GLENVIEW AVENUE, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT;
ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Bob R. Howerton, C14-74-041; Revell and Company, C14-74-071)

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Love introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 2, 3, 4 AND LOT 1, EXCLUDING THE WESTERN 488.35 FEET OF LOT 1, 183 PARK SUBDIVISION, LOCALLY KNOWN AS 835-955 U. S. HIGHWAY 183, EAST; 1001-1035 U. S. HIGHWAY 183, EAST AND 1063-1139 U. S. HIGHWAY 183, EAST, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (W. W. Patterson, Lem Scarbrough and Mary Belle McClure, C14-73-085)

Councilman Lebermann moved the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Friedman, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the ordinance had been finally passed.

VACATION OF STREET

Mayor Pro Tem Love brought up the following ordinance for its second reading:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THAT CERTAIN PORTION OF WEST 14TH STREET ALLEY, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the second time, and Councilman Friedman moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Handcox, carried by the following vote:

Ayes: Mayor Pro Tem Love, Councilmen Dryden, Friedman, Handcox,
Lebermann

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the ordinance had been finally passed.

APPROACH MAIN CONTRACT

Mayor Pro Tem Love brought up the following ordinance for its first reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO A CERTAIN REFUND CONTRACT WITH JAGGER ASSOCIATES, INCORPORATED. (Oak Hollow Subdivision)

The ordinance was read the first time, and Councilman Handcox moved the ordinance be passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Pro Tem Love

Noes: Councilman Friedman

Absent: Mayor Butler, Councilman Binder

REFUND CONTRACTS

Mayor Pro Tem Love brought up the following ordinance for its first reading:

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR THE DEPUTY CITY MANAGER TO ENTER INTO CERTAIN REFUND CONTRACTS WITH W. W. PATTERSON AND JAGGER ASSOCIATES, INCORPORATED. (Loyola Center, Timberline Subdivision, Oak Hollow Subdivision)

The ordinance was read the first time, and Councilman Handcox moved the ordinance be passed to its second reading. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Handcox, Lebermann, Mayor Pro Tem Love
Noes: Councilman Friedman
Absent: Mayor Butler, Councilman Binder

ZONING ORDINANCES - SECOND AND THIRD READINGS

Mayor Pro Tem Love brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1-A: A 46.1 ACRE TRACT OF LAND, SAVE AND EXCEPT THE EASTERNMOST ONE HUNDRED FEET FRONTING ALONG I. H. 35, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, THIRD HEIGHT AND AREA DISTRICT; AND,

TRACT 1-B: THE EASTERNMOST ONE HUNDRED FEET OF A 46.1 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 1-C: A 5.5 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2-A: A 22.4 ACRE TRACT OF LAND, SAVE AND EXCEPT THE EASTERNMOST ONE HUNDRED FEET FRONTING ALONG I. H. 35, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, THIRD HEIGHT AND AREA DISTRICT; AND,

TRACT 2-B: THE EASTERNMOST ONE HUNDRED FEET OF A 22.4 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2-C: AN 8.3 ACRE TRACT OF LAND, SAVE AND EXCEPT ALL THAT AREA SOUTH OF LITTLE TEXAS LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, THIRD HEIGHT AND AREA DISTRICT; AND,

TRACT 2-D: ALL THAT AREA SOUTH OF LITTLE TEXAS LANE OUT OF AN 8.3 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2-E: A 5.9 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 3-A: A 6.0 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 3-B: A 4.6 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 4-A: A 13.9 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 4-B: A 27 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;

ALL OF SAID PROPERTY LOCALLY KNOWN AS 5901-6011 SOUTH CONGRESS AVENUE; 101-1111 LITTLE TEXAS LANE; 500-900 LITTLE TEXAS LANE; 1000-1104 LITTLE TEXAS LANE; 5514-5600 SOUTH INTERSTATE HIGHWAY 35; 5610-5712 SOUTH INTERSTATE HIGHWAY 35; AND 5900-6120 SOUTH INTERSTATE HIGHWAY 35; ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (150 Ltd. and Douglas Duwe, C14-74-061)

The ordinance was read the second time, and Councilman Friedman moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Pro Tem Love

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced the ordinance had been finally passed.

Mayor Pro Tem Love brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(1) A 2,898 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 2021 GUADALUPE STREET AND 309-311 WEST 21ST STREET, FROM "C" COMMERCIAL DISTRICT TO "C-1" COMMERCIAL DISTRICT; AND,

(2) A 0.313 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4014 MEDICAL PARKWAY, FROM "O" OFFICE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND,

(3) A 4,800 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 5555 NORTH LAMAR BOULEVARD, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT; AND,

(4) TRACT 1: A 3.06 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 2.20 ACRE TRACT OF LAND, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; LOCALLY KNOWN AS 4600-5016 BEACON DRIVE, ALSO BOUNDED BY SPRINGDALE ROAD (MANOR ROAD);

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Continental Assurance Company, C14-74-065; Richard R. Jenkins, C14-74-066; Hardin Associates, Inc., C14-74-080; J. D. Connolly, C14-74-070)

The ordinance was read the second time, and Councilman Friedman moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Pro Tem Love

Noes: None

Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Love brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

64.5 X 216 FEET OUT OF OUTLOT 4, DIVISION "E," ORIGINAL CITY OF AUSTIN, AND 60 X 76.25 FEET OUT OF OUTLOT 4, DIVISION "E," ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS 1002-1004 WEST AVENUE AND 806-808 WEST 10TH STREET, FROM "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT AND "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Barry S. Gillingwater and Ernesto Liebrecht, C14-74-072)

The ordinance was read the second time, and Councilman Friedman moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Pro Tem Love
Noes: None
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Love brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 10.06 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5313-5411 PLEASANT VALLEY ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,
TRACT 2: A 1.88 ACRE TRACT OF LAND, LOCALLY KNOWN AS 5212-5218 NUCKOLS CROSSING ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "LR" LOCAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; AND,
TRACT 3: AN 8.30 ACRE TRACT OF LAND, LOCALLY KNOWN AS 4905-5009 STASSNEY LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "BB" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT;
ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Jagger Properties, Inc., C14-74-078)

The ordinance was read the second time, and Councilman Friedman moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Pro Tem Love
Noes: None
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Love brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
THE SOUTH 62 FEET OF THE WEST 50 FEET OF THE EAST 150 FEET OF THE NORTH 150 FEET OF BLOCK 1, OUTLOT 22, DIVISION "O," ORIGINAL CITY OF AUSTIN, LOCALLY KNOWN AS THE REAR OF 213-215 CHALMERS AVENUE, FROM "B" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (P. L. Baker, C14-74-073)

The ordinance was read the second time, and Councilman Friedman moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Pro Tem Love
Noes: None
Absent: Mayor Butler, Councilman Binder

The Mayor Pro Tem announced that the ordinance had been finally passed.

Mayor Pro Tem Love brought up the following ordinance for its second reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
LOTS 33 AND 34, ST. ELMO HEIGHTS, SECTION 1, LOCALLY KNOWN AS 301 AND 303 INDUSTRIAL BOULEVARD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.
(Max W. Stone, C14-70-001)

The ordinance was read the second time, and Councilman Friedman moved the Council waive the requirement for the third reading, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilman Dryden, carried by the following vote:

Ayes: Councilmen Dryden, Friedman, Handcox, Lebermann, Mayor
Pro Tem Love
Noes: None
Absent: Mayor Butler, Councilmen Binder

The Mayor Pro Tem announced that the ordinance had been finally passed.

POSTPONEMENT OF AMENDMENT TO GAS COMPANY RATE ORDINANCE

The amendment to Southern Union Gas Company's Rate Ordinance revising the Purchase Gas Adjustment Clause, as requested by Southern Union, was postponed.

AFFIRMATIVE ACTION POLICY STATEMENT

It was noted that the Affirmative Action Policy Statement was scheduled for consideration at this time. However, Mr. Davidson requested that this be postponed until August 8, 1974. Councilman Handcox noted that because this was the first policy of this kind and because of the sensitivity of it, they wanted to have it right before presenting to the Council and public. He mentioned that everyone was cooperating fully in every aspect. Mayor Pro Tem Love hoped that they could come up with an effective program.

ZONINGS SET FOR PUBLIC HEARING

The City Manager reported that the following zoning applications had been referred to the Planning Commission for recommendation and had been set for public hearing on September 5, 1974:

VELMA KELLER By Helen R. Hall C14-74-100	1501 Newning Avenue	From "A" Residence To "B" Residence
RICHARD WOODRUM By Larry Slater C14-74-102	902 South Center Street	From "A" Residence To "MH" Mobile Home
ERWIN K. STORK C14-74-103	604-606 1/2 West Mary Street	From "A" Residence To "O" Office
HENNA CHEVROLET, INC. and GULF OIL CORPORA- TION By Malcolm Robinson C14-74-104	604-704 Delmar Avenue	From "A" Residence 1st Height and Area To "C" Commercial 3rd Height and Area
MRS. FREDDIE ROSS DOWNS, Independent Executrix of the Estate of H. D. Downs By C. C. Cook C14-74-105	4327 South First Street	From "A" Residence To "C" Commercial
JERRY R. REED, LARRY NIEMANN and EDMUND J. FLEMING, JR. C14-74-106	1801 Airport Boulevard 3200 East 18th Street	From "LR" Local Retail 6th Height and Area To "C" Commercial 1st Height and Area

FRED EBY, JR. By Martin Boozer, Jr. C14-74-107	1101 Enfield Road	From "B" Residence 2nd Height and Area To "O" Office 1st Height and Area
WAYNE T. DAYTON By Robert L. Davis C14-74-108	8112-8212 Cameron Road 1316-1430 Rutherford Lane	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
EARL ROSEN C14-74-109	3700 Valley View Road	From "A" Residence To "B" Residence
TED L. EDWARDS, JR. By Robert D. Jones C14-74-110	3407-3413 Cedar Street	From "A" Residence 1st Height and Area To "B" Residence 2nd Height and Area
DAVID B. BARROW, ET AL By Robert C. Sneed C14-74-075	3519-3531 Greystone Drive 7425-7437 Wood Hollow Drive	From "BB" Residence To "LR" Local Retail
FARM AND HOME SAVINGS ASSOCIATION By Joe Gilbreth C14-74-082	4925-5049 Frederick Lane 1912-2030 and 1913- 2029 Teri Road	From Interim "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area Tract A and "B" Residence 1st Height and Area Tracts B and C
EDWARD P. GIESECKE By Martin Boozer, Jr. C14-74-083	1815-1817 Waterston Avenue	From "A" Residence 1st Height and Area To "B" Residence 2nd Height and Area
URBAN RENEWAL AGENCY of the City of Austin By Paul D. Jones C14-74-084	2900-2910 Glen Oaks Drive (Conway Street) 900-1006 Neal Street 3001-3005 Hargrave Street 1001-1011 Pleasant Valley Road	From "A" Residence To "B" Residence (as amended)
SAMUEL E. DUNNAM By Roger S. Hanks C14-74-091	701-711 West 19th Street 1808-1810 Rio Grande Street 1809-1811 West Avenue	From "O" Office To "GR" General Retail

ROBERT PETTUS and REGINA OCHOA By Joe D. Stokes III C14-74-095	1606 West Avenue 801-805 West 17th Street	From "A" Residence To "O" Office
HOWSON HOUSE Paul Wendler, owner C14h-74-001	700 San Antonio Street 500 West 7th Street	From "O" Office To "O-H" Office-Historic
TIPS HOUSE Robert Fowler, owner C14h-74-002	309 West 7th Street	From "C" Commercial To "C-H" Commercial-Historic
CASWELL HOUSE City of Austin, owner C14h-74-003	1406-1408 West Avenue also bounded by West 15th Street	From "A" Residence To "A-H" Residence-Historic
MILLICAN HOUSE Robert Pettus and Regina Ochoa, owners C14h-74-004	1606 West Avenue 801-805 West 17th Street	From "A" Residence (proposed "O" Office) To "A-H" Residence-Historic
J. B. MOCK C14-74-092	608 Radam Lane	From "A" Residence To "C" Commercial
BRUNO MILBURN By Sharon Killey C14-74-094	4312-4314 Marathon Boulevard 1101-1103 West 44th Street	From "A" Residence To "O" Office

SPECIAL PERMIT APPLICATION

JAMES C. HUDSON By TSMV, Inc. C14p-73-009 (L)	Intersection of Congress Avenue and Miller's Lane (also bounded by Riverside Drive)	Revision of a previously approved special permit for a Hotel, Convention Center, and Office Complex, located within the "L" Lake District
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PLANNED UNIT DEVELOPMENT

AUSTIN COUNTRY CLUB ESTATES By Jeryl D. Hart C814-74-008	5200 East Riverside Drive	From Interim "A" Residence 1st Height and Area To Planned Unit Development 198 attached single-family dwelling units with common open space called, "Pecan Creek," a planned unit development
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ADJOURNMENT

The Council adjourned at 3:55 p.m.

APPROVED

Sam Love
Mayor Pro Tem

ATTEST:

Grace Monroe
City Clerk