

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 25, 1979
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Cooke, Himmelblau,
Snell, Trevino

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

INVOCATION

Reverend Dr. Leslie Green, Hyde Park Christian Church, gave the
Invocation.

VFW AUXILIARY DAY

MS. ARLENE McDERMOTT, the National President of VFW Auxiliary was present in the Council Chamber. She was the recipient of a VFW Auxiliary Day Proclamation, setting aside January 25, 1979, and read by Mayor McClellan. The Mayor also made her an honorary citizen of Austin and gave her a certificate.

MS. LELAN ROWLAND, National Councilwoman from Texas, and MS. ELLA ARNOLD, Texas State President, were also present in the Council Chamber to receive the proclamation and their Honorary Citizen Certificates. They gave the Mayor a pin of peace to wear. MS. JUNE BELL, of the VFW Ladies Auxiliary, Austin, who had presented the National President, Councilwoman and Texas State President, to the Mayor, introduced other members of the chapter who were also in the Council Chamber for the proclamation. Ms. McDermott thanked the Mayor and Council for the Proclamation and Honorary Citizenship, as did Ms. Bell.

BOARDS AND COMMISSIONS

Mayor McClellan announced the following appointments will be made to Boards and Commissions on February 1st:

MH/MR - 1
Wrecker Standards Commission - 4 interested citizens
Medical Assistance Advisory Council - 3 consumers
Construction Advisory Committee - 4 (1 labor, 2 construction, 1 non-affiliated)
Human Relations Commission - 7
Dental Health Advisory Council - 2 CDC representatives
On-Going of Goals Committee - 6
Elisabet Ney Museum - 7
Library Commission - 7
Urban Transportation Commission - 5
Energy Conservation Commission - 1
Citizen's Traffic Safety - 1
Commission on the Status of Women - 1

MINUTES APPROVED

Councilmember Himmelblau moved that the Council approve the Minutes for January 18, 1979. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Snell, Trevino
Noes: None
Absent: Mayor Pro Tem Goodman, Councilmember Mullen

EMINENT DOMAIN PROCEEDINGS

Councilmember Cooke moved that the Council adopt a resolution to authorize eminent domain proceedings to acquire the following tract of land for street widening and improvements in the Clarksville area (Northwest corner of Patterson Avenue and West 8th Street):

130 square feet of land out of the East portion of Lots 9, 10, and 11, Block 5, Washington Heights. (Oscar Wingren, owner)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Goodman, Councilmember Mullen

CAPITAL IMPROVEMENTS PROGRAM

Councilmember Cooke moved that the Council adopt a resolution to authorize the acquisition of certain land for the Spicewood Springs Road Project, CAPITAL IMPROVEMENTS PROJECT NO. 72/62-23:

7,670 square feet of land out of the James Mitchell Survey.
(Austin Corporation)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

RELEASE OF EASEMENTS

Councilmember Cooke moved that the Council adopt a resolution to authorize release of the following easement:

A Public Utility Easement adjacent to the south property line of Lot 1, Woodcreek, as described and recorded in Volume 3711, Page 222, of the Deed Records of Travis County, Texas. (Requested by Mr. George Sanders, representing Jagger Builders, Inc.)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

Councilmember Cooke moved that the Council adopt a resolution to authorize release of the following easement:

The west one (1.0) foot of a ten (10.00) foot Sanitary Sewer Easement crossing Lot 5, Block G, Dove Springs, Phase I, Section 2, locally known as 4515 Dove Springs Drive. (Requested by Marian Macry, Nash Phillips/Copus)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

Councilmember Cooke moved that the Council adopt a resolution to authorize release of the following easement:

A portion of a seven and one-half (7.50) foot Public Utility Easement along the south line of Lot II-A of the Fourth Resub-division of Block A-I, West Gate Square Commercial, recorded in Plat Book 76, Page 113, of the Plat Records of Travis County, Texas. (Requested by Mr. Doyle Wyatt, President of Capitol City Savings)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan
Noes: None
Absent: Mayor Pro Tem Goodman, Councilmember Mullen

Councilmember Cooke moved that the Council adopt a resolution to authorize release of the following easements:

Two (2) five (5.00) foot Public Utility Easements on either side of the common lot lines of Lots 1 and 2, Block A, North Park Estates, Section I, which easements are recorded in Volume 3143, Page 592, of the Deed Records of Travis County, Texas. (Requested by Mr. Doug Marcella, representing Mr. and Mrs. Ben Gomez, owners)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan
Noes: None
Absent: Mayor Pro Tem Goodman, Councilmember Mullen

CONTRACTS APPROVED

Councilmember Cooke moved that the Council adopt a resolution to authorize the following contract:

Bid Award:	- Crushed Limestone Aggregate and Grades 3 and 5 Limestone Aggregate. Twelve (12) Months Supply Agreement
TEXAS CRUSHED STONE COMPANY IH 35 North Georgetown, Texas	- Item Nos. 1.0 and 2.0 - \$8,690.00
SOUTHWEST MATERIALS, INC. 4200 Todd Lane Austin, Texas	- Item Nos. 3.0 and 4.0 - \$22,850.00

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan
Noes: None
Absent: Mayor Pro Tem Goodman, Councilmember Mullen

Councilmember Cooke moved that the Council adopt a resolution to authorize the following contract:

ROHAN COMPANY	- PVC Pipe
440 East St. Elmo	Twelve (12) Month Supply Agreement
Austin, Texas	Item 1-4 - \$53,325.00

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan
Noes: None
Absent: Mayor Pro Tem Goodman, Councilmember Mullen

Councilmember Cooke moved that the Council adopt a resolution to authorize the following contract:

LIBRARY BINDING COMPANY	- Hardbinding of Paperback Books,
2900 Franklin Avenue	Austin Public Libraries.
Waco, Texas	Twelve (12) Month Supply Agreement
	Item 1 - \$13,000.00

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan
Noes: None
Absent: Mayor Pro Tem Goodman, Councilmember Mullen

Councilmember Cooke moved that the Council adopt a resolution to authorize the following contract:

ENVIROQUIP, INC.	- Two (2) 400 Horsepower Motors, Water
2526 Kramer Lane	and Wastewater Department.
Austin, Texas	Item 1, 2 ea. @ \$12,860.00
	Total \$25,720.00

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan
Noes: None
Absent: Mayor Pro Tem Goodman, Councilmember Mullen

Councilmember Cooke moved that the Council adopt a resolution to authorize the following contracts:

Bid Award:

- Fire Hydrants, Parts, Kits and Extensions, Water and Wastewater Department
Twelve (12) Month Supply Agreement

CLOW CORPORATION
South 2nd Street
Osklossa, Iowa

- Items 1-9 - \$73,280.53

SOUTHEAST CONTRACTOR SUPPLY CO.
2257 East Ben White Boulevard
Austin, Texas

- Items 5-9 (Waterous) - \$598.00

DRESSER MANUFACTURING DIVISION
41 Fisher Avenue
Bradford, Pennsylvania

- Items 5-9 (M & H) - \$580.00

ROHAN COMPANY
440 East St. Elmo Road
Austin, Texas

- Items 5-9 (American Darling) - \$250.00

ITT GRINNELL
6999 Old Clinton Road
Austin, Texas

- Items 5-9 (Kennedy) - \$150.00

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

CHANGE ORDER

Councilmember Cooke moved that the Council adopt a resolution to authorize a Change Order Contract to Power Constructors, Inc., in the amount of \$45,762.48 for construction of 345 KV transmission line, Fayette Power Project to Austrop Substation. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

ENERGY STUDIES

Councilmember Cooke moved that the Council adopt a resolution to authorize an agreement with the U.T. Center for Energy Studies to accumulate and analyze power generation data and heat rates at Decker Unit #1 with grant funds (\$20,000) from the Governor's Office of Energy Resources. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

PARAMEDIC TRAINING FUNDS

Councilmember Cooke moved that the Council adopt a resolution to authorize entering into a contract with the State of Texas Health Department, EMS Division, for the receipt of \$24,183 of Paramedic Training funds (\$36,143 total cost; \$7,160 local match; \$4,800 tuition; \$24,183 Federal funds.) The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

LIBRARY CONTRACT

Councilmember Cooke moved that the Council adopt a resolution to approve a contract (\$76c) in the amount of \$142,254 between the City of Austin (Austin Public Library) and the Texas State Library for the operation of the Central Texas Library System Office. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

MINI BLOCK AWARD

Councilmember Cooke moved that the Council adopt a resolution accepting a Mini Block Award from the Texas Criminal Justice Division for the grant entitled "Police Communications System Design Project" in the amount of \$43,000 Texas Criminal Justice Division Support from January 1, 1979 through September 31, 1979. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

PRIVATE INDUSTRY COUNCIL

Councilmember Cooke moved that the Council adopt a resolution to authorize acceptance of a \$25,000 advance funding grant for the purpose of establishing a Private Industry Council for CETA Title VII, Private Sector Program. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

MODIFICATIONS FOR CETA GRANTS

Councilmember Cooke moved that the Council adopt a resolution to submit modifications to grants for CETA Titles II and VI to the Department of Labor in the amount of \$2,795,230 for Title II and \$3,269,601 for Title VI. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

AGENDA ITEM POSTPONED

Councilmember Cooke moved that the Council postpone until February 1, 1979, consideration of authorization to negotiate the following CETA Title I Urban OJT Job Development Contracts for the period January 1, 1979 through September 30, 1979. (At the request of the City Manager, the current contracts were extended until February 1, 1979):

Ser-Jobs for Progress	\$57,000
Austin Area Urban League	25,500
Austin Women's Center	25,500

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

POLICE DEPARTMENT POSITIONS INCREASED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. TO INCREASE THE NUMBER OF AUTHORIZED POSITIONS WITHIN THE CIVIL SERVICE CLASSIFICATIONS OF POLICE LIEUTENANT AND POLICE CAPTAIN; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Trevino, Mayor McClellan,
Councilmember Cooke

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the ordinance had been finally passed.

GAS TRANSPORTATION AGREEMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE APPROVING AN AGREEMENT REGARDING NATURAL GAS TRANSPORTATION SERVICE IN THE CITY OF AUSTIN; CLASSIFYING, FOR UTILITY RATE-MAKING PURPOSES, CERTAIN TRANSPORTATION FEES TO BE RECEIVED BY SOUTHERN UNION GAS COMPANY; AND APPROVING THE DISMISSAL OF CERTAIN PENDING LEGAL ACTIONS TO WHICH THE CITY OF AUSTIN IS A PARTY; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Trevino, Mayor McClellan,
Councilmember Cooke

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the ordinance had been finally passed.

PARADE PERMIT

Councilmember Cooke moved that the Council approve the request for a Parade Permit from MR. ALBERT C. LLOYD, JR., for Boy Scouts of America - Capitol Area Council, from 10:00 a.m. to 10:50 a.m., Saturday, February 10, 1979, beginning north on Congress Avenue from 2nd and Congress to 11th and Congress, dispersing in the Capitol grounds. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

RECESS

Council recessed their meeting at 9:30 a.m. and resumed the meeting at 10:10 a.m.

ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 10:00 a.m. Pursuant to published notice thereof, the following zoning cases were publicly heard:

AUSTIN AREA
TEACHERS FEDERAL
CREDIT UNION
By Robert Sneed
C14-78-228

604-608 Denson Drive

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

JAMES L. LOZIER
C14-78-235

1106 East 31st Street

From "A" Residence
1st Height and Area
To "C" Commercial
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant "C" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers
Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

DONALD S. THOMAS,
TRUSTEE
By Tom Curtis
C14-78-236

13740-13746 North
Highway 183

From Interim "AA" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers
Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

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

MARY BEATRICE
HILL
By Billy Fellows
C14-78-237

11207-11215 Jolly-
ville Road
11051-11165 Jolly-
ville Road

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

CLYDE TROUTMAN &
FORREST N.
TROUTMAN
C14-78-238

9529-9607 North IH 35
9600-9608 Middle
Fiskville Road

From Interim "AA" Residence
1st Height and Area
To "C" Commercial,
"C-1" Commercial, and
"C-2" Commercial
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant "C" Commercial, "C-1" Commercial and "C-2" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to "C" Commercial, "C-1" Commercial, and "C-2" Commercial, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

THE VILLAGE
JOINT VENTURE
By J. W. Smith
C14-78-224

William Cannon
Boulevard and
Beckett Road

From Interim "AA" Residence
1st Height and Area
To "A" Residence
1st Height and Area
RECOMMENDED as amended by the
Planning Commission

Councilmember Himmelblau moved that the Council grant "A" Residence, 1st Height and Area District, as amended, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau
Noes: None
Absent: Councilmember Mullen, Mayor Pro Tem Goodman

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

DAVID W. DRAPELA
By Gerald Kucera
C14-78-234

2527-2605 Western
Trails Boulevard

From "BB" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED by the Planning
Commission "O" Office with a density
limitation of 15 units per acre and a
15-foot "A" Residence buffer adjacent to
the residential subdivision.

Councilmember Himmelblau moved that the Council grant "O" Office, 1st Height and Area District, subject to conditions, and a 15-foot "A" Residence, 1st Height and Area District buffer adjacent to the residential subdivision, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau
Noes: None
Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, subject to conditions, and a 15-foot "A" Residence, 1st Height and Area District buffer adjacent to the residential subdivision, and the City Attorney was instructed to draw the necessary ordinance to cover.

MARVIN M. HENRY,
TRUSTEE
C14-78-240

2008 Koenig Lane

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area
RECOMMENDED by the Planning
Commission "O" Office with 10
feet of right-of-way on Koenig
Lane.

Councilmember Himmelblau moved that the Council grant "O" Office, 1st Height and Area District subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau
Noes: None
Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

FRED EARHART,
TRUSTEE
By Don Bird
C14-78-079

5502-5708 IH 35

From Interim "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area and
"A" Residence
1st Height and Area (as
amended)

NOT Recommended

RECOMMENDED by the Planning
Commission "GR" General Retail, 1st
Height and Area, save and except 100
feet of "A" Residence buffer to the
east and the entire tract to be 1st
Height and Area.

Councilmember Himmelblau moved that the Council grant "GR" General Retail, save and except 100 feet of "A" Residence buffer to the east and the entire tract to be 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau
Noes: None
Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to "GR" General Retail, save and except 100 feet of "A" Residence buffer to the east and the entire tract to be 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

C. M. BUILDERS
By Charles Marsh
C14-78-227

1505 West 6th, 1507
West 6th and 509
Powell

From "B" Residence
2nd Height and Area
To "LR" Local Retail
2nd Height and Area

NOT Recommended

RECOMMENDED by the Planning
Commission "O" Office, 2nd Height and
Area and dedication of six feet of
right-of-way on Powell Street.

Councilmember Himmelblau moved that the Council grant "O" Office, 2nd Height and Area, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to "O" Office, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

DAVID M. BRYANT,
JR.

By Jeffrey M.
Friedman
C14-78-230

704-706 Corral Lane
7100-7114 Mustang Trail

From Interim "AA" Residence
1st Height and Area

To "C" Commercial
1st Height and Area

(as amended)

NOT Recommended

RECOMMENDED by the Planning
Commission 10 feet of "A" Residence along
the westernmost boundary, 25 feet of
"A" Residence, 1st Height and Area, along
the southernmost boundary; the remainder
"C" Commercial, 1st Height and Area,
subject to a 6 foot privacy fence along
the westernmost boundary.

Councilmember Himmelblau moved that the Council grant 10 feet of "A" Residence along the westernmost boundary, 1st Height and Area District; 25 feet of "A" Residence, 1st Height and Area District, along the southernmost boundary; and the remainder "C" Commercial, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to 10 feet of "A" Residence, 1st Height and Area District, along the westernmost boundary; 25 feet of "A" Residence, 1st Height and Area District along the southernmost boundary; and the remainder "C" Commercial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

JONES-PREWITT CO. 4206 Steck Avenue
By Edwin W.
Prewitt, Jr.
C814-78-008

From "A" Residence
1st Height and Area
To a 19-unit residential
Planned Unit Development
called "ALTA VISTA"
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant a Planned Unit Development of 19 units, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau
Noes: None
Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to a Planned Unit Development of 19 residential units, called "Alta Vista", and the City Attorney was instructed to draw the necessary ordinance to cover.

J.L.P. DEVELOPMENT Cima Serena Drive
CORPORATION
By William Jones
C814-78-009

From "BB" Residence
1st Height and Area
To 44-unit townhouse project
called "CIMA SERENA TOWNHOMES"
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant a 44-unit townhouse project called "Cima Serena Townhomes", as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau
Noes: None
Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to a 44-unit townhouse project, and the City Attorney was instructed to draw the necessary ordinance to cover.

JACOB LARMOUR 1909 Whitis
HOUSE
C14h-76-010

From "B-H" Residence-Historic
2nd Height and Area
To "B" Residence
2nd Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council grant "B" Residence, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the change had been granted to "B" Residence, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

All of these cases were passed in a consent motion. Councilmember Himmelblau requested she would appreciate more information from the Planning Commission when zoning cases are to be done in a consent motion. City Manager Davidson told her they will work on it.

RUDI SCHUCH, ET
UX
By Tom Curtis
C14-78-233

6903 Manchaca Road
1962-1924 William Cannon
Drive

From Interim "A" Residence
1st Height and Area
To "GR" General Retail
1st Height and Area
RECOMMENDED by the Planning
Commission

Mr. Lillie reviewed the application by use of slides. Mr. Tom Curtis, speaking for the applicant, pointed out the request for "GR" General Retail, is consistent with zoning granted in the immediate area since 1969 since other zoning at the intersection of Manchaca and William Cannon Drive has been granted "GR" General Retail in 1969, 1971 and 1975. MS. MARILYN SIMPSON, Vice-President, Whispering Oaks and Cherry Creek Neighborhood Association, spoke against the zoning request. She felt there is already enough "GR" General Retail zoning in the area. MS. MARY BROPHIE, who lives in south Austin, expressed her concern over strip zoning and felt if this is granted, others will want "GR" General Retail granted for their land also. Councilmember Cooke commented this would be cluster zoning, but thought Council should make its position clear regarding strip zoning. Mr. Curtis told Council his clients' request is consistent with cluster zoning at a major intersection. He pointed out that Ms. Simpson wants it to remain "A" Residence. Councilmember Cooke asked if the City looks at what the market is for the use before it recommends zoning. Mr. Lillie answered much of the zoning requests are speculative and for a long time the City has been encouraging commercial zoning only at major intersections in an attempt to cluster develop rather than strip develop. Councilmember Cooke said it is important Council not be lulled into strip zoning up and down William Cannon as they have been on 183. Two years ago Council talked about preventing 183 from becoming another Burnet Road, but it seems to be progressing into it very rapidly.

Councilmember Himmelblau moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

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

GEORGE W. ALLEN
By Jeryl Hart
C14-78-197

5800 Block of Balcones
Drive

From Interim "A" Residence
1st Height and Area
To "A" Residence
1st Height and Area (Tract 1)
and "O" Office
1st Height and Area (Tract 2)
NOT Recommended
RECOMMENDED by the Planning
Commission "O" Office, 1st Height and
Area to a depth of 200 feet with a 25-
foot strip of "A" buffer on the northern
and western boundary of Tract 1, the
balance of Tract 1 be included in Tract
2 and that Tract 2 be zoned "AA" Residence,
1st Height and Area.

Mr. Lillie reviewed the application by use of slides. He said the applicant does not agree with the recommendation as submitted by the Planning Commission. MR. JERYL HART, representing the applicant, distributed topographical maps to Council. He said the property to the south and east is zoned "O" Office, and they are asking for permanent zoning. He asked Council to consider two points. First, concerning the request for "O" Office, the contour line slopes off 40 feet and they think the depth should be 225 feet at the north rather than the 200 feet recommended by the Planning Commission, and 260 feet at the furthest depth. On the rest of the land, Mr. Hart said they proposed 25 feet of "A" Residence buffer and 80 feet of "AA" Residence. He mentioned that "A" Residence next to the park would be appropriate and that he knew the neighborhood wanted restrictions on the height of the building and roofing material used. This, he said, would present no problem. He requested Council not to act today on Tract 2, if they cannot grant "A" today. Discussion followed, led by the Mayor, on whether or not Mr. Hart wanted the zoning case withdrawn today.

MR. GEORGE W. ALLEN, owner of the property, appeared, and gave the history of the land. He said he wanted it developed in the best way possible.

MR. ERWIN SALMONSON, representing the Northwest Civic Association, appeared before Council to state they "support the Planning Commission with 'AA' on Tract 2 and on Tract 1 restrict the development to 175 feet, buffer the south, and also consider that the building height not be more than 760 feet above sea level, and I don't know whether the Council can do it, or if it should be a restriction in the deed, that there be no reflecting white roofs or

mirrored glass to the south and the west side of the property." ...Mr. Salmonson said the cut back to 175 feet would continue the line of "O" Office property as it is to the south on the map and it would continue that line and would mean the "O" Office on Tract 1 would not go behind the existing single-family residential lots.

MS. ALBERTA CASTANEDA, who lives on Trail Ridge, said the 200 feet would be about 25 feet into the back of her yard and asked if part of this could be withdrawn. Mr. Hart told her that would be no problem and the elevation line would be an appropriate line. He asked if Council could give them a 6-month postponement on Tract 2. Tract 1, Mr. Hart thought, is clear and has no problems.

Councilmember Cooke moved that the Council grant the recommendation of the Planning Commission on Tract 1, with 60 foot buffer on south adjacent to residence only; comply with the height of building 760 feet above sea level; remove 25 feet of buffering on the north end; no reflecting glass or white roofs on building(s); and withdrawal of Tract 2. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Cooke, Himmelblau, Snell,
Trevino

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

The Mayor announced that the change had been granted to the recommendation of the Planning Commission on Tract 1, with 60 foot buffer on south adjacent to residence only; comply with the height of building 760 feet above sea level; remove 25 feet of buffering on the north end; no reflecting glass or white roofs on building(s); and withdrawal of Tract 2; and the City Attorney was instructed to draw the necessary ordinance to cover.

J. V. WALDEN
By Terry Sasser
C14-78-188

Southwest Corner
Steck Avenue and
MoPac

From Interim "A" Residence and
"BB" Residence

1st Height and Area

To "GR" General Retail and
"O" Office

1st Height and Area
(as amended)

NOT Recommended

RECOMMENDED by the Planning

Commission "LR" Local Retail on the entire tract with no restrictions, and "O" Office on the southern tract with a maximum of 12 units per acre, a 6-foot privacy fence on the southern boundary, one foot of "A" Residence along the southern and western boundary, and the buildings to face toward MoPac, 30-foot building setback on the south and west sides.

MR. TERRY SASSER, representing the applicant, appeared before Council and said the Planning Commission was looking at maps different from what they had presented to the zoning people in the Planning Department. He said they had agreed with the neighborhood association that only 2.388 acres of the corner tract would be zoned "LR" Local Retail but inadvertently they zoned a larger piece "LR." In order to keep his covenant with the neighborhood association he asked Council "to zone only 2.388 acres as Tract 1 and the remainder Tract 2 "O" Office. Then there would be a 6-foot privacy fence on the southern and western boundaries, a 30-foot setback on the west and south, buildings to face MoPac. If apartments were built on the "O" zoned property, it would be 12 units to an acre, and a 1-foot strip of "A" Residence across the width of Sonnet Avenue so it could not be crossed."

MR. BILL MARTIN, Balcones Civic Association, stated the association is in agreement with the amendments stated by Mr. Sasser.

Councilmember Cooke moved that the Council grant "LR" Local Retail on the entire corner tract with no restrictions, and "O" Office on the southern tract with a maximum of 12 units per acre, subject to conditions; one foot of "A" Residence along the southern and western boundary, subject to conditions; all 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

The Mayor announced that the change had been granted to "LR" Local Retail on the entire corner tract with no restrictions, and "O" Office on the southern tract with a maximum of 12 units per acre, subject to conditions; one foot of "A" Residence along the southern and western boundary, subject to conditions; all 1st Height and Area District; and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance on an emergency basis:

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 2.38 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: AN 8.139 ACRE TRACT OF LAND, SAVE AND EXCEPT A 2.38 ACRE TRACT, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT AND "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS THE SOUTHWEST CORNER OF STECK AVENUE AND MO-PAC BOULEVARD; 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. (J. V. Walden, C14-78-188)

Councilmember Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance on an emergency basis. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

The Mayor announced that the ordinance had been finally passed as an emergency measure.

ZONINGS DENIED

KENNETH McGARY
C14-78-239

807 Cumberland, also
bounded by Oak Crest
Drive

From "A" Residence
1st Height and Area
To "BB" Residence
1st Height and Area

RECOMMENDED by the Planning
Commission "BB" Residence, 1st Height and
Area, with a deed restriction stating that
the property will not be altered in any
manner beyond the present condition in
terms of use and physical characteristics.

Mr. Lillie reviewed the application by use of slides, and told Council Mr. McGary purchased the structure at 807 Cumberland which had three units in it, and was unaware of the problem or conflict with zoning which would only permit single family or two-family. The applicant, he continued, has agreed to the restrictions of recommendation by the Planning Commission. The lot is totally surrounded by "A" Residence uses and the zoning could be called spot zoning. Councilmember Himmelblau pointed out that staff has recommended against the change and asked how the building got in the area with three units with a building permit in an "A" residential area.

Mr. Lonnie Davis, Director of Building Inspection, answered, "The building permit to put in a three-unit structure has never been approved. A permit was issued to Mr. Phil Marks in 1965 to repair and remodel a residence. At the time the inspections were made a kitchen and a set of living quarters were noticed in the upstairs, which would make it a three-unit. The inspector at that time made a notation that the upstairs must have the kitchen removed. On his final inspection apparently enough of the kitchen cabinet work and plumbing had been removed to satisfy this requirement and he wrote down Okay. Unfortunately that inspector is no longer with us." Councilmember Himmelblau went on to say the present owner bought it with the understanding it would be all right. She didn't want the present zoning changed on the zoning map, but wondered if it could be grandfathered. Mr. Davis pointed out the three units are an illegal use.

MR. KENNETH McGARY, owner of the property, stated he bought the property exactly like it is now and through investigation found there was an inspection of the property in 1965 and the tenant that lived there lived there for 13 more years. He verified to Mr. McGary the property never had been changed. Mr. McGary said he anticipates no change to the property and does not think a three-unit dwelling will hurt the neighborhood.

Councilmember Himmelblau stated her objection is that the change in zoning could change the land use map and then there would be a domino effect in the future. Councilmember Cooke commented he agrees because usually precedent dictates how the property next to it will be zoned in the future.

MS. SOCORRO LEOS, South Austin Advisory Board, appeared before Council to state they are opposed to the zoning because it would ultimately change the neighborhood around the triplex. Ms. Leos told Council the South Austin Advisory Board is presently in the process of making a neighborhood master plan and requests Council to hold major zoning changes until the plan is complete.

Councilmember Himmelblau moved that the Council DENY the zoning change. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Councilmembers
Cooke, Himmelblau, Snell

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

The Mayor announced that the zoning had been DENIED.

EDWARD R.
RATHGEBER, JR.
AND JESSIE B.
ANDERSON
By Edward Rath-
geber, Jr.
C14-78-212

900-1012-William Cannon
Drive
6705-6709 Emerald Forest

From Interim "A" Residence
1st Height and Area

To "O" Office
1st Height and Area

NOT Recommended

RECOMMENDED by the Planning

Commission "A" Residence, 1st Height and Area on the easternmost 500 feet from Cooper Lane, the balance "O" Office, 1st Height and Area and a 15-foot buffer strip of "A" 1st Height and Area around the perimeter of the "O" tract save and except for two 30-foot driveways/curb cuts, one on William Cannon and one on Emerald Forest Drive.

Mr. Lillie reviewed the application by use of slides. Neither the applicant nor his representative appeared. MS. MARY BURPHY appeared to say she thought this would encourage strip zoning if the change is granted.

Councilmember Cooke moved that the Council DENY the zoning change. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmember Cooke

Noes: None

Absent: Mayor Pro Tem Goodman, Councilmember Mullen

Not in Council Chamber when roll was called: Councilmember Himmelblau

The Mayor announced that the zoning change had been DENIED.

ZONING CASE WITHDRAWN

CRAIG A.
WASHINGTON

By Geneva Johnson
C14-78-182

713 Carolyn, also
bounded by Woodrow
Street

From "A" Residence
1st Height and Area
To "B" Residence
1st Height and Area
NOT Recommended by the Planning
Commission

Mr. Washington requested withdrawal.

Councilmember Himmelblau moved that the Council allow the applicant to WITHDRAW the zoning case. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the zoning case had been WITHDRAWN.

ZONING CASES POSTPONED

JILES JACKSON
C14-78-229

11935 Arabian Trail
also bounded by Bell
Avenue

From "AA" Residence
1st Height and Area
To "O" Office
1st Height and Area
NOT Recommended by the Planning
Commission

There was a valid petition of 36% which would require 6 votes to grant and since there were only 5 Councilmembers present, the Council by consent, on Councilmember Cooke's motion, Councilmember Snell's second, postponed the hearing until February 15, 1979, at 8:00 p.m. Councilmember Mullen and Mayor Pro Tem Goodman absent. The Council had received a letter from Mr. Jiles Jackson requesting the change to be "A" Residence.

The Mayor announced that the zoning case had been POSTPONED.

RISHER-ROACH
BUILDING
By Britt Kennard
C14h-78-045

509-513 East 6th Street

From "C-2" Commercial
4th Height and Area
To "C-2-H" Commercial-Historic
4th Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council postpone the zoning hearing until March 1, 1979, at 10:00 a.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan
Councilmembers Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the zoning hearing had been POSTPONED.

HURT HOUSE
By Roxanne
Williams
C14h-78-039

2210 San Gabriel

From "B" Residence
2nd Height and Area
To "B-H" Residence-Historic
2nd Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Himmelblau moved that the Council postpone the zoning hearing until March 1, 1979, at 10:00 a.m. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

The Mayor announced that the zoning hearing had been POSTPONED.

COMMUNITY DEVELOPMENT COMMISSION REPORT

Mr. ELLIOTT NAISHTAT, Chairperson, Austin's Community Development Commission, appeared before Council to report on the expansion of Montopolis Low Income Target Boundaries. He stated: "I think you have copies of a memorandum from Buck Apelt, Director, Human Services Department, to Dan Davidson concerning expansion of the boundaries of the Montopolis Low Income Target Area. Montopolis is one of the six designated target areas which the City works closely with. The Community Development Commission is requesting Council authorization to expand boundaries of the Montopolis Low Income Area and submit this approval to the Community Services Administration for review and comment. This request was initiated by the Montopolis Area Neighborhood Advisory Board. There are some people from the Advisory Board here if there are any questions. The reasons for this request concern increasing level of citizen participation in the area and enabling the neighborhood center to extend its services to more

low income families in the Montopolis area. The Commission has reviewed this proposal and feels it has merit. In the memo are some statistical breakdowns concerning the population, ages, housing, etc. The number of people served by the Center in this area would be increased by about 2,000. Apparently there was some concern earlier about whether this would cost the City anything and to the best of our knowledge, there is no fiscal implication for the City connected with this action in terms of additional available revenues or additional expenses. Most of the money which is expended in this area and in others is Federal money."

Councilmember Snell said, "I asked several months ago that other areas should be looked into. Do you have a report on whether other areas should be extended as well as Montopolis? Mr. Buck Apelt responded, "We haven't been considering it. I think, as you recall, South Austin was considered about a year ago." Councilmember Snell said that was about the time he made a request to look at other areas but has not received a report on it. He continued that he is glad that Montopolis is being looked into also. Mr. Davidson, City Manager, told Mr. Snell his request would be followed up.

MONTOPOLIS LOW-INCOME TARGET AREA EXPANDED

Councilmember Trevino moved that the Council adopt a resolution to authorize expansion of the Montopolis Low-Income Target Area boundaries. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Councilmembers Cooke, Himmelblau

Noes: None

Absent: Councilmember Mullen, Mayor Pro Tem Goodman

TAX APPEALS HEARING

Mayor McClellan opened the hearing on tax appeals scheduled for 10:00 a.m. on the following:

1. AUSTIN MOTEL ASSOCIATES Parcel No. 2-3919-0404
2. DAVID DRAPELA Parcel Nos. 3-0902-0401 and 3-0902-0402
(Mr. J. W. Nicholson will represent the above tax appeals)

Mr. Jack Klitgaard, City Tax Assessor-Collector, stated, "This is an appeal on the Board of Equalization's decision on three pieces of property, one being the Easy Travel Motel and the other being two vacant pieces of property. In the appeal before the Board of Equalization the appellant stated that he thought this property was not comparable with other motel type properties here. The appraisal for the comparable presented by the appellant was presented also to the Board of Equalization. They are placed by the Department in the same quality grade. Comparables were two La Quinta Motels, one in the north and one in the south and a Motor 6 Motel."

Councilmember Himmelblau asked why this was not done when Council heard the rest of the tax appeals. Mayor McClellan answered there were mail problems concerning this one. City Clerk Grace Monroe told Council it had been sent, but was lost somewhere.

Mr. Klitgaard continued, "The one property of the three comparables we don't consider exactly like the subject property was Motor 6 Motel which is in the same quality grade but is in different construction type, wood/frame, as opposed to solid masonry. We believe we have treated this motel no differently than all the comparable motels. The other appeal was on two tracts of vacant ground probably having the highest and best use for a future motel development. These two tracts are contiguous. We have \$1.50/square foot on the corner tract and \$1.25/square foot on the interior tract. The reason for the difference are some topographical features of the interior tract, particularly drainage, low land....some work needs to be done. Evidence was presented to the Board of Equalization that it would cost \$76,000 to correct the drainage problem. And while the Board does not wish to question an estimate, this is the choice of the property owner. We have made a distinction in the value of the two pieces of property having lowered the interior property to \$1.25 per foot. All the rest of the property in the immediate neighborhood, except one lot, is \$1.50 per square foot. We have treated this property no differently than we have all comparable properties around the taxing jurisdiction."

MR. DAVID DRAPELA, owner of the Easy Travel Motel and the two tracts of land in south Austin, appeared before Council and stated: "The north motel consistent with other motels...there are two methods the City uses to determine an appraisal on a motel and it seems one is if it's built out of wood and one if it's built out of masonry. I have a Ramada Inn that sets next door to me that maintains a \$28.00 a day average room, and their appraisal is 20% lower than my hotel which maintains \$13.95 rooms. So the problem I see is an inequity in the appraisal somewhere.Now I will speak on the two lots. The average price the City has set is \$1.36 on the south piece of property and it was stated correctly that all adjoining properties are \$1.50. My contention is that I have a ditch running down the middle of the property that makes it unusable unless I correct that. The low lying area would be on the other side. That would be Motel 6. That is simply some low property in there but it does not have a waterway coming underneath the Interstate and passing through to the back of the property like this one does. I have spent in excess of \$10,000 on the engineering studies just to correct the situation to use the property, and if it's going to cost me \$76,500 to correct the situation, I would think that if we add \$76,000 to the appraised value on the property now, that would put the property up around \$2.12/square foot appraised value. Since the property cannot be used in its present condition, I would think maybe some consideration might be given to that \$76,500."

Councilmember Cooke asked, "In what respect?" Mr. Drapela answered, "Give me the \$1.50 appraisal just like you did everybody else. That would make my property valued at \$134,000. What the City is saying to me, we will allow you \$12,500 for the correction of that ditch because essentially that's what they have given me. Do the same for me, give me \$1.50...it would up my appraised value from \$122,213 to \$134,736...then allow me somewhat greater money for the ditch that has to go through there, whether you allow me to use the property to fix the ditch I'm still going to come up to the \$1.50 once the City gets through with it. But I'm going to come up with \$2.12 the way they have it fixed now."

Mr. Klitgaard told Council that in the appeals made to the Board of Equalization a comparison was not made with the Ramada Inn to the best of his recollection and does not believe they have treated this motel any differently than the other ones. To compare room rental rates, he felt, is not a fair way to compare values. As far as the two tracts of land, he continued, "we have discounted it for this drainage and we think the discount is applicable. The \$76,000 mentioned is the method by which the owners of the property choose to correct the drainage. It doesn't necessarily mean it has to be corrected or that much money spent on it. We have appraised this property for \$62,618 less than what the correction is going to cost. We believe we have treated this no differently than comparable property." Mr. Drapela replied he would like to be able to fix the property for \$12,000, but the \$76,000 comes because of what the City says they have to do to the property because of the Creek Ordinance.

Motion

Councilmember Himmelblau moved that the Council close the public hearing and uphold the Board of Equalization evaluation on Austin Motel Associates - Parcel No. 2-3919-0404. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan,
Councilmembers Cooke, Himmelblau
Noes: None
Absent: Mayor Pro Tem Goodman, Councilmember Mullen

Motion

Councilmember Cooke moved that the Council reduce the tax rate to \$1.10 per square foot on Parcel Nos. 3-0902-0401 and 3-0902-0402. The motion was seconded by Mayor McClellan.

Substitute Motion - Failed

Councilmember moved that the Council uphold the Board of Equalization's evaluation. The motion, seconded by Councilmember Trevino, failed to carry by the following vote:

Ayes: Councilmembers Himmelblau, Snell, Trevino
Noes: Mayor McClellan, Councilmember Cooke
Absent: Mayor Pro Tem Goodman, Councilmember Mullen

Motion

Councilmember Trevino moved that the Council reconsider the motion. The motion, seconded by Councilmember Cooke, carried by the following vote:

Ayes: Councilmembers Cooke, Himmelblau, Snell, Trevino, Mayor
McClellan
Noes: None
Absent: Mayor Pro Tem Goodman, Councilmember Mullen

Motion

Councilmember Trevino moved that the Council, by consent, postpone the decision on the tax appeal of David Drapela on Parcel Nos. 3-0902-0401 and 3-0902-0402, until February 1, 1979 at 3:00 p.m. when a full Council will be present. The motion was seconded by Councilmember Snell.

PUBLIC HEARING ON COMMUNITY DEVELOPMENT

Mayor McClellan opened the public hearing scheduled for 11:00 a.m. for the purpose of obtaining citizens' views and proposals on community development and housing needs and priorities for FY 79-80.

Buck Apelt, Acting Director of the Human Services Department, spoke saying this is one of two public hearings which are planned to be held by Council during the development of the City's application for 1979-80 Community Development Block Grant funds. The purpose of this hearing is primarily to permit citizens to state their views and submit any proposals prior to our beginning work on the development of the application itself. The second hearing which is expected to be held late in April will be for the purpose of obtaining citizen comment on the proposed application prior to the time of its submission to the Department of Housing and Urban Development. The City's application for 1979-80 CDBG Funds will basically consist of three elements:

1. Three year Community Development plan which will identify community development and housing needs.
2. The annual community development program which is an elaboration on the first year of the three year plan.
3. The housing assistance plan.

Mr. Apelt said the amount of funds expected for the years 1979-80 are \$5,401,000, for 1981 \$5,468,000, and the same amount for 1981-82. In addition those amounts will be supplemented by some program income, principally from the disposition of Urban Renewal land holdings.

ELLIOTT NAISHTAT, Chairperson of the Community Development Commission, addressed Council, saying they are implementing a new citizen participation review process this year which began this month and will continue through April and into May when Council makes its final determination. This review process will involve individuals, neighborhoods, neighborhood groups, the advisory boards, and various City departments. The review process will also involve a joint subcommittee of the Planning Commission and Community Development Commission. In order for the process to be as meaningful as possible, and in order for the citizen participation review process to be as comprehensive as possible, the Community Development Commission urges all interested parties to prepare and submit their ideas and recommendations in time for the joint subcommittee, Planning Commission and Community Development Commission to consider and review in accordance with the established citizen participation review process.

Councilmember Snell asked Mr. Apelt how the low income areas are determined. Mr. Apelt answered the low income areas are pretty well established already as our neighborhoods served under the community action program; moderate income neighborhoods utilize statistics. Mr. Snell asked that other areas be looked into, because some areas might have been overlooked.

MR. BOB GARRETT addressed Council next, asking for more equitable housing for the poor.

JACK EVANS, President of the Hyde Park Neighborhood Association, was the next speaker, saying that "Hyde Park was a participant in the development of the recommendations with the Community Development Commission last year. The two top priorities that we came up with last year were home improvement financing and the preservation of the Ney Museum." He added that in the Hyde Park area, for example, there are people with low incomes who do not have the means to improve their homes, and therefore recommended that Council look specifically into seeking housing and community development funds to further the financing of home improvements for the low income families.

MS. SOCORRO LEOS, Chairperson of the South Austin Citizens Advisory Board, addressed Council saying she is here today to identify their major goals. She said she hoped Council will be able to financially support their needs. She said she feels housing rehabilitation is number one priority. Next priority is implementing their economic development plan where everyone will be involved. The third priority of the South Austin Advisory Board is for various transportation improvements, and the fourth priority is for various parks improvements.

MS. NADINE SUSTAITA, representing the East 1st Street Neighborhood Advisory Council, addressed Council saying they have been intensely involved in developing a neighborhood plan for their community which stated three years ago with the encouragement of Councilmember Trevino. She went on to mention they are now approaching the completion of this effort. She added that the problems of their neighborhood are so complex they would need the concentrated efforts of every program area. The first goal is to address the decline in the number of residential units and in the quality of houses in their neighborhood. Since 1950 there has been a decline of over 1,000 residences in the neighborhood. The second goal addresses the need for a balanced program protection of residential character of the area, including the industrial relocation and economical development. This goal mainly addresses the industrial corridor situated between East 1st and East 7th Street. Although these industries provide jobs, it is also a fact they present nuisances and detract from the desirability of the residential section. Protection of the residential areas means a reevaluation of those residential areas which are zoned for industrial use. This occurs most often in the eastern portion of the neighborhood where over zoning undermines the confidence in the stability of the residential sections. In closing, Ms. Sustaita said they would have a neighborhood plan to submit to Council within the next few months.

Mayor McClellan commended Ms. Sustaita on her excellent presentation. Councilmember Trevino said on the subject of over zoning which Ms. Sustaita spoke of in her presentation, that this Council rolls back whenever possible. Also, he said, this City Council has become very much involved in the economic development of Austin and have made it a point to specify the great interest in minority activities.

Councilmember Himmelblau asked Ms. Sustaita if an inventory was made and if that is how she had arrived at the figure of over 1,000 houses less. Ms. Sustaita answered affirmatively and added that she did not think it should be up to the citizens to point out to Council that over zoning has occurred in any given neighborhood, but is the responsibility of the Council to know this and to do something about it.

Councilmember Trevino agreed with Ms. Sustaita but pointed out to her the opportunity to roll back zoning could not be done in some cases, like in areas which have been zoned 40 years ago and it would involve a lot of legal work.

MR. BILL MILLER, Vice-Chairman of the Montopolis Neighborhood Association, spoke next stating some of the goals his neighborhood is trying to achieve. He mentioned paving, drainage, traffic signals, etc. He said they are going to try to protect the community by watching the zoning pattern and inhibit industrial growth. They also want a new recreation center and park facilities.

SUSAN WEBBER, with Family Place, a non-profit organization, was the next speaker. She said they have leased the old Palm School and want to bring together social service agencies that deal with children and families and put them in one easily identifiable and available location. She said their project will contribute to downtown revitalization by providing for the adaptive use restoration of a building that is on one of the gateways to the downtown area.

MARY SMITH, Acting Clinical Director of the Austin Guidance Center, stated that their agency will be the first to go into the Family Place. She said she feels like there has been a tremendous community support. In terms of benefiting clients, the agencies that will be going into Family Place are the Austin Child Guidance Center, Child and Family Services, Austin Evaluation Center, and there will be some enrichment facilities such as art programs. "In general, we feel that having these agencies in one building is going to greatly enrich the community," Ms. Smith concluded.

FRED CALDWELL, Chairman of the Rosewood Advisory Board relinquished his time to speak to his Co-Chairman EMMET SPEARS. Mr. Spears said he would like the City to expand Section 8 rehabilitation and new construction programs. He said to help the people in this neighborhood a weatherization program would also help conserve energy. As things that are needed, he went on to add, jobs for the school dropouts and ex-offenders, drainage for Boggy Creek, a new child care center for working parents, expanded legal aid, counseling service and transportation, such as more busses, bus shelters, all streets paved, improved health service, increase emergency aid, more recreational facilities, complete Doris Miller improvements, and improve police and neighborhood relations.

JEAN LANDRUM of Concerned Citizens for the Development of West Austin, yielded her time to RICHARD HUGHES. He presented some recommendations for the Austin Housing and Community Development Program. No. 1, complete the pedestrian and bike overpass at 5th and 6th Streets and at MoPac and the expressway and the railroad tracks. No. 2, maintain the low density and quiet, this can be done by keeping the "A" and "B" zoning as they presently exist and to discourage large apartment complexes and town houses. Also to prevent the widening of the streets and the putting through of dead end streets. Recommendation No. 3, is to upgrade

the parks in the area primarily by approved fund projects. No. 4, increase crime prevention in this high crime area. No. 5, begin construction of an outpatient clinic in a convenient location in the area. No. 6, fund Emergency Medical Services Station #1. No. 7, promote more child care facilities in churches and schools. No. 8, correct drainage and sidewalk problems in the area. No. 9, increase City response to citizen input from our area.

DEBBIE MEISSNER of the Center for Battered Women, said the center has operated since June 1, 1977, out of a City-owned facility. Over this period, the center has been contacted by over 2,000 women seeking shelter, counseling, and other assistance. Over 500 persons have found refuge at the shelter and this is with a 14-person capacity. Our facility has been inspected, she said, by the City of Austin, the Department of Human Resources, the Texas Commission on Alcoholism, and by the Texas Department of Mental Health and Mental Retardation and all have cited conditions needing immediate attention in order to insure the safety of our residents. These recommendations will be reviewed and estimates obtained to be presented in form of a proposal for Housing and Community Development funds. She asked Council for their support in making the Center for Battered Women a safe place.

LILLIE HALL, St. John's Neighborhood Advisory Board, presented her recommendations to Council. They included controlled developers, private industry and absentee landowners through limitations on land usage and zoning to preserve the residential character of the neighborhood. Intensify rehabilitation of housing units to increase the availability of desirable housing. Expand recreational facilities available. Enhance the safety of neighborhood residents through improved transportation facilities and traffic control. Enhance laws requiring weed and environmental control to protect the health and safety of neighborhood residents. Pave unpaved streets in West St. John's.

REVEREND W. B. SULLIVAN, Chairperson of the Clarksville Advisory Board, spoke listing his recommendations to Council. His are in report form filed in the City Clerk's office.

Motion

Councilmember Snell moved that the Council, by consent, close the public hearing for the purpose of obtaining citizens' views and proposals on community development and housing needs and priorities for FY 79-80. The motion was seconded by Councilmember Trevino.

ZONINGS SET FOR PUBLIC HEARING

The City Manager reported the following applications have been referred to the Planning Commission for recommendation and have been set for Public Hearing before the City Council on March 1, 1979.

LIBERTY INSURANCE
AGENCY, INC.
C14-78-246

201 East Rundberg Lane

From "A" Residence
1st Height and Area
To "O" Office
1st Height and Area

BEN N. GARZA By Greater Austin Apartment Maintenance C14-79-001	1707-1717 Unnamed Street	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
HYDE PARK BAPTIST CHURCH C14-79-002	3901-3925 Speedway 3900-3912 Avenue F 3900-3912 Speedway	From "B" Residence 1st Height and Area(Tract 1) "C" Commercial 1st Height and Area(Tract 2) and "B" Residence 2nd Height and Area(Tract 3) To "C" Commercial 2nd Height and Area
JAGGER ASSOCIATES, INC. By Ron Spencer C14-79-003	2527-2501 Wallingwood Drive 1209-1101 Spyglass Drive	From Interim "A" Residence 1st Height and Area To "O" Office 1st Height and Area
O. G. ANDERSON By Ken Harris C14-79-004	Rear of 1901-1905 Kinney Avenue	From "BB" Residence 1st Height and Area To "C" Commercial 1st Height and Area
SHIRLEY SLAUGHTER By Don E. Bird C14-79-005	1608 West 34th Street also bounded by Glenview Avenue and Jefferson Street	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
NASH PHILLIPS and CLYDE COPUS By Robert Davis C14-79-006	Between 8613-8625 Research Boulevard (Tract 1) Between 8551-8567 Research Boulevard (Tract 2)	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
MARY E. BAYLESS C14-79-007	901-903 Taulbee Lane	From "B" Residence 1st Height and Area To "O" Office 1st Height and Area
RICHARD G. BERMAN By Terry Sasser C14-79-008	12707 Research Boulevard	From Interim "A" Residence 1st Height and Area To "GR" General Retail 3rd Height and Area
D. Y. NICHOLS By Dan Stathos, Jr. C14-79-009	1300 South Congress Avenue also bounded by James Street	From "C" Commercial 2nd Height and Area To "C-1" Commercial 2nd Height and Area

GAIL JOHNSON By Gary F. Brown C14-79-010	13554-13562 Research Boulevard	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
EDWARD J. PETRUS, TRUSTEE By Tom Curtis C14-79-011	1012-1120 William Cannon Drive 6702-6708 Emerald Forest Drive	From Interim "A" Residence 1st Height and Area To "O" Office 1st Height and Area
THE WESLEYAN CHURCH By Gary Sawyer C14-79-012	6012-6106 South First	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
MR. AND MRS. C. R. AKIN By Tom Curtis C14-79-013	10830-10926 U.S. 183 4901-4905 Hamilton Lane	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
HOLT, FATTER, SCOTT, INC. By Martin Bernard C14-79-014	1611 West Avenue also bounded by West 17th Street	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
ROSS D. TERRY ESTATE By Terry Sasser C14-79-015	4507-4509 North IH 35 4506-4508 Elwood	From "O" Office 1st Height and Area (front 140 feet) and "A" Residence 1st Height and Area (remainder of tract) To "O" Office 2nd Height and Area
SOUTHWESTERN BELL TELEPHONE COMPANY By Charles Jackson C14-79-016	650 Bastrop Highway	From Interim "A" Residence 1st Height and Area To "C" Commercial 1st Height and Area
LENORA R. AND ALONDREA KIRK- PATRICK By Ida Williams C14-78-209	4607 Ledesma Road	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area (as amended)
WAYNE RUTLAND By Sue Sanders C14-78-125	10805 Jollyville Road	From Interim "AA" Residence 1st Height and Area To "C" Commercial and "O" Office 1st Height and Area (as amended)

NORTHWOOD
DEVELOPMENT
CORPORATION
By Phil Mockford
C14-78-147

3100-3616 Oak Creek Drive
also bounded by Farm Road
1423

From Interim "AA" Residence
1st Height and Area
To "A" Residence and
"GR" General Retail
1st Height and Area

JOHN McPHAIL
C14-78-231

7903-8003 Manassas Drive
8008-7806 Manchaca Road

From Interim "A" Residence
1st Height and Area
To "A" Residence, "O" Office
and "B" Residence
1st Height and Area

JLP DEVELOPMENT
CORPORATION
By Wilburn Jones
C14-78-232

3501-3515 Cima Serena
Drive
8416-8522 MoPac Boulevard

From "BB" Residence
1st Height and Area
To "O" Office
1st Height and Area

CITY OF AUSTIN
PLANNING DEPART-
MENT
Original Zoning
C14-78-241

6309-6307 Mesa Drive,
bounded generally to the
rear of Mesa Drive on the
west, rear of Sierra Drive
to the north, rear of
Mountain Climb Drive to
the east

From Interim "AA" Residence
1st Height and Area
To "AA" Residence
1st Height and Area

CITY OF AUSTIN
PLANNING DEPART-
MENT
(Original Zoning)
C14-78-243

Generally bounded to the
west by Parkfield Drive,
rear of Helen Drive to the
east, to the north by rear
of Doonesbury Drive and
Carshalton Drive, and to the
south generally by rear of
Parkfield Drive

From Interim "AA" Residence
1st Height and Area
To "AA" Residence
1st Height and Area

CITY OF AUSTIN
PLANNING DEPART-
MENT
(Original Zoning)
C14-78-244

Bounded generally by the
rear of Honey Tree Lane,
to the south by Eanes
Circle, to the east by
Eanes Circle Road and
Wilderness Drive and to the
west by 1343-1017 Walsh
Tarleton Drive

From Interim "AA" Residence
1st Height and Area
To "AA" Residence
1st Height and Area

CITY OF AUSTIN
PLANNING DEPART-
MENT
(Original Zoning)
C14-78-245

Located west of the
present end of Far West
Boulevard

From Interim "AA" Residence
1st Height and Area
To "AA" Residence
1st Height and Area

STAVELY-KUNZ-
JOHNSON HOUSE
By Loree Neiman
C14h-78-052

1402 East 1st Street

From "C" Commercial
1st Height and Area
To "C-H" Commercial-Historic
1st Height and Area

January 25, 1979

RADKEY HOUSE
By Charles Betts
C14h-79-001

3720 Jefferson

From "C" Commercial
1st Height and Area
To "C-H" Commercial-Historic
1st Height and Area

AYNESWORTH-WRIGHT
HOUSE
By Charles Betts
C14h-79-002

11689 U.S. 183

From "GR" General Retail
1st Height and Area
To "GR-H" General Retail-
Historic
1st Height and Area

ADJOURNMENT

Council adjourned its meeting at 1:40 p.m.

APPROVED

Carole Keeton McClanahan
Mayor

ATTEST:

Grace Monroe
City Clerk