

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 20, 1968  
9:00 A.M.

COUNCIL CHAMBERS, CITY HALL

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The meeting was called to order with Mayor Akin presiding.

Roll Call:

Present: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Absent: None

The Invocation was delivered by MR. DOREN ESKEW, CITY ATTORNEY.

CITY CLERK'S REPORT ON  
REFERENDUM PETITION

City Clerk Elsie Woosley made the following report certifying the referendum petition on ordinance no. 680517-A:

"I hereby certify that I have completed examining so much of that certain petition styled "REFERENDUM PETITION" filed in my office on May 24 and May 27, 1968 as it has been possible for me to examine within the time available for such examination; that 8,937 equals ten per cent (10%) of the qualified voters of the City; that said petition appears to have been signed by the requisite number of qualified voters; that there were on said petition the names and residences of 12,333 persons who were found to appear qualified to vote; that there were on said petition the names and residences of 2,140 persons who were not found to appear qualified to vote; and that on the remaining pages of said petition which were filed on May 24 and May 27, 1968, there appear the names and residences of 12,296 other persons whose qualifications to vote it was not possible for me to determine within the time available for examination."

Councilman Long moved the Council note receipt of the report and take the ordinance and referendum under advisement. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

#### ANNEXATION ORDINANCE - SECOND READING

Mayor Akin brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 47.45 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the second time and Councilman LaRue moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin  
Noes: Councilman Long

#### ANNEXATION ORDINANCE - FINAL PASSAGE

Mayor Akin brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 64.15 ACRES OF LAND, SAME BEING PARTLY OUT OF AND A PART OF THE T. J. CHAMBERS GRANT AND PARTLY OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The Mayor announced that the ordinance had been finally passed.

## ZONING ORDINANCES

Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOT 7, BLOCK 5, SILVERTON HEIGHTS SUBDIVISION, LOCALLY KNOWN AS 7101 GUADALUPE STREET, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin  
Noes: Councilman Janes

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin  
Noes: Councilman Janes

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin  
Noes: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

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Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOTS 27 AND 28, BLOCK 14, RIDGETOP ANNEX, LOCALLY KNOWN AS 4600-4602 DEPEW AVENUE AND 906-910 EAST 46TH STREET, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin  
Noes: Councilman Janes

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin  
Noes: Councilman Janes

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin  
Noes: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

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Mayor Akin 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 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

- (1) LOTS 9 AND 10 OF THE LLOYD W. PAYNE SUBDIVISION, LOCALLY KNOWN AS 1512-1514 PARKER LANE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;
- (2) LOT 5 OF THE T. C. STEINER SUBDIVISION, LOCALLY KNOWN AS 1423 NEWNING AVENUE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;
- (3) THE NORTH 1/2 OF LOT 2 AND ALL OF LOTS 3-6 OF THE SIMON GILLIS SUBDIVISION, LOCALLY KNOWN AS 2000-2008 WILSON STREET AND 401-405 WEST JOHANNA STREET, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;
- (4) LOTS 24-32, BLOCK 10, HYDE PARK ADDITION, LOCALLY KNOWN AS 4306-4312 AVENUE A AND 501-503 WEST 44TH STREET, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
- (5) LOTS 23 AND 24, LOUIS HORST'S SUBDIVISION, LOCALLY KNOWN AS 501-505 WEST 23RD STREET AND 2212-2216 SAN ANTONIO STREET, FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND THIRD HEIGHT AND AREA DISTRICT;

- (6) A 25,780 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1418-1422 NEWNING AVENUE AND 409-411 PARK LANE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;
- (7) THE SOUTH 87 FEET OF LOT 5, GEORGE L. ROBERTSON SUBDIVISION OF OUTLOT #55, LOCALLY KNOWN AS 1000-1006 EAST 11TH STREET AND 1151-1155 CURVE STREET, FROM "C" COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT;
- (8) LOTS 5-8, BLOCK 4, HYDE PARK ADDITION NUMBER 2, LOCALLY KNOWN AS 4109-4111 AVENUE A, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
- (9) LOTS 25-30, BLOCK 13, HYDE PARK ADDITION NUMBER 2, LOCALLY KNOWN AS 107-109 WEST 39TH STREET, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;
- (10) A 35.64 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1100-4004 BANISTER LANE, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;
- ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:  
LOT 9, BLOCK 15, BROAD ACRES SUBDIVISION, LOCALLY KNOWN AS 5515 WOODROW AVENUE, FROM "A" RESIDENCE DISTRICT TO "B" RESIDENCE DISTRICT;  
SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND  
SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The Mayor announced that the ordinance had been finally passed.

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Mayor Akin 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 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:  
TRACT 1: LOTS 21, 22 AND 23, BLOCK 2 OF THE LAKEVIEW ADDITION, LOCALLY KNOWN AS 506-516 WEST 37TH STREET AND 3701-3709 GUADALUPE STREET, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;  
TRACT 2: LOTS 24, 25 AND 26, BLOCK 2 OF THE LAKEVIEW ADDITION, LOCALLY KNOWN AS 500-504 WEST 37TH STREET, FROM "A" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT AND "C" COMMERCIAL

DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT;  
SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS;  
AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin  
Noes: None  
Present But Not  
Voting: Councilman Janes

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin  
Noes: None  
Present But Not  
Voting: Councilman Janes

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Nichols, Mayor Akin  
Noes: None  
Present But Not  
Voting: Councilman Janes

The Mayor announced that the ordinance had been finally passed.

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Mayor Akin introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:  
THE EAST 25' OF LOT 142 AND ALL OF LOTS 144 AND 146, NORTHFIELD ADDITION, LOCALLY KNOWN AS 113-201 FRANKLIN BOULEVARD, FROM "A" RESIDENCE DISTRICT TO "BB" RESIDENCE DISTRICT;  
SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: None  
Present But Not  
Voting: Councilman LaRue

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: None  
Present But Not  
Voting: Councilman LaRue

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols, Mayor Akin  
Noes: None  
Present But Not  
Voting: Councilman LaRue

The Mayor announced that the ordinance had been finally passed.

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Mayor Akin 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 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS:

(1) LOTS 17-32 OF THE MARY ANN WOOLDRIDGE RESUBDIVISION, LOCALLY KNOWN AS 700-714 WEST 22-1/2 STREET, 2213-2223 PEARL STREET, 701-715 WEST 23RD STREET, AND 2212-2222 RIO GRANDE STREET, FROM "B" RESIDENCE DISTRICT AND SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL DISTRICT AND FOURTH HEIGHT AND AREA DISTRICT;

(2) TRACT 1: A 3.78 ACRE TRACT OF LAND, LOCALLY KNOWN AS 7215-7243 NORTHEAST DRIVE AND 7237-7319 U.S. HIGHWAY 290, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;

TRACT 2: A TRACT OF LAND LOCALLY KNOWN AS 7211-7213 NORTHEAST DRIVE, FROM INTERIM "A" RESIDENCE DISTRICT AND INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE DISTRICT AND FIRST HEIGHT AND AREA DISTRICT;



ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### RELEASE OF OPTION ON PROPERTY

Councilman Nichols moved the Council continue for one week, on the request of City Manager Robert Tinstman, consideration of a request for the release of the City's option on some property on I.H. 35 and Riverside Drive. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

#### ANNEXATION HEARING SET

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 75.15 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NUMBER 18; 6.43 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE GEORGE W. DAVIS SURVEY; 18.97 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE; 41.41 ACRES OF LAND,

SAME BEING OUT OF AND A PART OF TRACT 2, PENICK SUBDIVISION, A SUBDIVISION OF A PORTION OF THE ISAAC DECKER LEAGUE; ALL LOCATED IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

Councilman Long moved that the ordinance be published in accordance with Article I, Section 6 of the Charter of the City of Austin and set for public hearing on July 3, 1968 at 10:30 A.M. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

#### RESOLUTIONS ESTABLISHING SPEED LIMITS

Councilman Long suggested adding the limiting phrase "when pedestrians are present". She felt that it should be applied to Yates, Brentwood, and Arroyo Seca west as well as east. Otherwise, she thought the City would be creating a speed trap or an unenforcable situation.

Mrs. Barbara Hobson suggested a 20 mile per hour speed limit all the time in the area because there was a swimming pool, park, and school. She stated that children were always crossing the streets. She also noted that Arroyo Seca West was a curved street and that there were cars parked up and down the street on both sides.

After some discussion, Councilman Janes offered the following resolution and moved its adoption:

#### (RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum, reasonable and safe speed for the operation of vehicles at the following locations are less than thirty (30) miles per hour; and,

WHEREAS, after said investigation the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is twenty (20) miles per hour at the following locations:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Yates Ave.	Brentwood St.	Justin Ave.
Brentwood St.	Yates Ave.	Arroyo Seca
Arroyo Seca (West Roadway)	Brentwood St.	Justin Ave.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

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Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum, reasonable and safe speed for the operation of vehicles at the following location is less than thirty (30) miles per hour on school days during the hours of 7:00 A.M. to 4:30 P.M. when pedestrians are present; and,

WHEREAS, after said investigation the City Council has found that the maximum, reasonable and safe speed for the operation of vehicles is twenty (20) miles per hour on such days and during such hours at the following location:

<u>ON STREET</u>	<u>FROM</u>	<u>TO</u>
Arroyo Seca (East Roadway)	Brentwood St.	Justin Ave.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

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Councilman Janes offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the free flow and expeditious handling of traffic under conditions existing at the locations described below require that traffic upon such streets move only in a one-way direction, such locations and streets being described as follows:

<u>STREET</u>	<u>FROM -- TO</u>	<u>DIRECTION OF ONE-WAY MOVEMENT</u>
Arroyo Seca (West Roadway)	Koenig Ln.-Piedmont	Southbound
Arroyo Seca (East Roadway)	Koenig Ln.-Piedmont	Northbound

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be and she is hereby authorized and directed to record this finding in Section 33.38 of the Traffic Register.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

20 MPH SPEED LIMIT ON OLTORF

Councilman Long brought to the Council's attention a problem related to the speed limit question. She stated that the 20 MPH speed limit on Oltorf at the Twin Oaks Shopping Center at South Congress was not observed and that if it were, traffic would be backed up from one end of Oltorf to the other. She asked that the area and the speed limit be studied.

PUBLIC HEARING APARTMENT DENSITIES

Mr. Hoyle Osborne, Director of Planning, stated that he was trying to differentiate between regular apartments, hotels, motels, and rooming houses in the proposed zoning amendment. Councilman Long thought that the practice of prorating rent for an apartment should be authorized in the ordinance, even though it would create a situation where a renter would actually be paying by the day. Mr. Osborne replied that there was no intent to interfere with prorating, which he thought was a reasonable and standard practice.

Mr. David Barrow appeared before the Council to suggest that an ordinance be passed specifying the number of units per acre in selected areas of Austin. He felt that apartments in a single-family residence neighborhood should be built in lower density than in other areas with more extensive access to large streets.

Mr. Osborne explained that his staff was preparing two single family districts, which would possibly have that type of restriction on apartment buildings. He said his staff had trouble with the apartment-hotel type of establishment, and that they were working on defining the apartment-hotel to differentiate it from dormitories. The need to require kitchens in one and not in the other had not been resolved.

The amendment before the Council would establish a continuum of basic apartment densities, ranging from "BB" Residence, 1st Height and Area to "C" Commercial, 4th Height and Area, with density combinations from 2000 square feet to unlimited density (or about 1100 square feet). Councilman Long inquired about a new concept in building, working with optimum space and limited space. She asked about the control of density. Mr. Osborne replied that the Planning Department had come up with three or four possible ways to solve the problem but none that they recommended strongly. He outlined methods other cities used to handle the problems.

The limitation of six unrelated persons living in a family unit was discussed. Mr. Osborne said that this stipulation would not inhibit any customary boarding house, rooming house, or dormitory situation. However, it did set limits on unrelated individuals' ability to live together.

The amendment was also going to increase the density of apartments allowed in the "B" Residence, "O" Office, "LR" Local Retail and "GR" General Retail, 1st Height and Area districts from one unit per 1500 square feet to one unit per 1100 square feet. Mr. Tinstman felt this increased density led to more tension in those crowded neighborhoods. He noted that cities with high density in the downtown areas had more problems than those which spread the apartments throughout the community.

Councilman LaRue stated that it would be quite well to have maybe 20% of the entire area of the city developed with intensive development, but not all in one area.

Mayor Akin introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954  
SO AS TO CHANGE CERTAIN DENSITY REQUIREMENTS; AMENDING THE  
DEFINITION SECTION OF SAID CHAPTER; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the second time and Councilman Nichols moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the third time and Councilman Nichols moved that the ordinance be finally passed. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The Mayor announced that the ordinance had been finally passed.

#### COUNCIL OF GOVERNMENTS

Councilman Long asked Mr. Barrow for a review of the meeting that he had attended with officials from the surrounding cities and counties. He stated that 12 representatives met and two more sent written notice of interest in joining the Council of Governments. The people wanted to see in writing more of the conditions under which they would be operating. He was in favor of sending to those persons a copy of the proposed by-laws. He pointed out the need for an organization of that type to handle the rapid development that was going to occur in the surrounding areas.

Mayor Akin indicated that he was willing to get started with the Council and that the idea had his support.

#### ZONING HEARING

Mayor Akin announced that it was 10:30 A.M. and the Council would hear the zoning case scheduled for public hearing at this time, continued from May 16. Pursuant to published notice thereof, the following zoning application was publicly heard:

JERRY D. HERING & 909-913 W. Mary St.  
FRANK McBEE  
by Paul Hardy

From "A" Residence, 1st Height  
and Area to "B" Residence, 2nd  
Height and Area  
NOT RECOMMENDED by the Planning  
Commission

Mr. Stevens of the Planning Department stated that the application involved two tracts with separate owners. The recommendation of the Planning Department was to establish "B" Residence, 1st Height and Area in order to give the developers 15 units per 1000 square feet. The "B" Residence, 2nd Height and Area would have given them 20 units per 1000 square feet. In the opinion of the Planning Depart-

ment that was too intensive a density for the surrounding neighborhood.

Mr. A. F. White asked about widening the street. He said he had 136 feet of curb and gutter, and wondered who would pay for replacing it. Councilman Long assured him that the City would pay for the curb and gutter but he would be required to pay for the widening. Councilman Nichols noted that the street would be paved, whether or not the zoning change were granted.

Mr. Tinstman stated that he had been unable to contact the representative of the owner, Mr. Paul Hardy. Councilman Janes suggested holding the matter until the afternoon session.

Mr. Luiz Ojeda appeared before the Council to state that he was satisfied with the proposed zoning.

#### ANNEXATION ORDINANCE

Mayor Akin introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 3.81 ACRES OF LAND, SAME BEING THREE (3) TRACTS OF LAND OUT OF AND A PART OF THE JAMES M. MITCHELL SURVEY NO. 17, IN TRAVIS COUNTY, TEXAS; WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the second time and Councilman LaRue moved that the ordinance be passed to its third reading. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

#### PUBLIC IMPROVEMENTS PROJECTS

City Manager Tinstman explained that the written report on guidelines for public improvement projects was being formulated for two main reasons:

- 1) The City's interest in carrying out public projects in an expeditious manner, without undue expense to the general taxpayer, and
- 2) The City's interest in preventing an individual property owner from suffering extended delay in improving his or her property.

Councilman Long noted that the City was actually spelling out the procedures it had followed all along. Councilman Nichols thought the phrase "reasonable delay" should be made more specific, noting that at times it had extended from 2 months to 5 years.

Mr. Tinstman stated that the ordinance would give the City departments a basis for working with uniformity. Councilman Nichols felt the department heads should not be allowed to define what was a reasonable delay. Mr. Tinstman offered one example of the action the proposed plan would encourage. He stated that if funds were not available and a City project was certain to be built, the City would negotiate with the owner to set up an installment contract. If the property owner insisted on a permit, under the new policy, he would be issued one.

Councilman Long pointed out that citizens still had the choice of bringing their complaints directly to the City Council, even if the proposed policy were in effect.

Councilman Long moved the Council adopt the policy on Public Improvements Projects, Issuance of Permits, as recommended by the City Manager. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilman Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

#### POWERED BOATS ON TOWN LAKE

Mr. Gordon Fowler had requested permission to operate power boats on Town Lake for one or two days during the week of June 24th, for the purpose of gathering photographs for a catalogue. Councilman Long suggested that allowing one citizen to use the Lake was perhaps unfair to others who might have the same idea.

Mr. Krueger voiced an objection to the use of power boats on Town Lake for any purpose. Councilman Janes felt that the City might gain a certain amount of public relations benefits from allowing such projects. He moved the Council grant the Glastron Boat Company permission to operate power boats as requested. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Nichols, Mayor Akin  
Noes: Councilman Long



## AUDITORIUM PARKING LOT

Councilman Nichols asked if the City was receiving full pay for the present use of the Auditorium parking lot. The City Manager stated that anytime a tenant leased the Auditorium, he had the use of the parking lot. Councilman Nichols reported that he had seen a sign on the parking lot advertising used cars. Mr. Tinstman said he would check on the sign.

## TOWN LAKE FIREWORKS DISPLAY

Mr. Ed Fleming, Director of the Jaycees Fourth of July fireworks display on Town Lake, stated that the show would cost \$700.00, with an additional \$225.00 for insurance. Bergstrom Air Force personnel were providing the detonating ammunition and storing the fireworks, he stated. The Explorer Scouts were designing the display. He added that the Jaycees would not receive any compensation for the activity.

Mayor Akin expressed his appreciation to the Jaycees for their public relations efforts for Austin. Councilman Long suggested that the City and the Jaycees continue the fete, with the City paying the insurance premium through the Department of Recreation. Councilman Janes stated that the Fourth of July fireworks might be a matter of concern for the next budget discussions, and that he would agree to the City's paying the insurance premium.

Councilman Janes then moved the Council pay the premium and consider the matter in the next budget meeting. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

Councilman Long remarked that she would like to see the activity as a joint City project with the Recreation Department for the next year.

## CONTRACT AWARDED

Councilman Janes offered the following resolution and moved its adoption:

## (RESOLUTION)

WHEREAS, bids were received by the City of Austin on June 11, 1968, for the purchase of fourteen (14) Traffic Signal Light Poles with 34 foot mast arms to be used for new signal installation and modification; and,

WHEREAS, the bid of Techline, Inc., in the sum of \$5,278.00, was the lowest and best bid therefor and the acceptance of such bid has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Techline, Inc., in the sum of \$5,278.00 be and the same is hereby accepted, and that R. M. Tinstman, City Manager of the City of Austin, be and he is hereby authorized to execute a contract on behalf of the City with Techline, Inc.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

#### TRANSFER OF FUNDS

Councilman Long moved the Council approve a transfer of funds within the Brackenridge Hospital appropriation to finance the purchase of air conditioning units at Brackenridge East. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

#### RENTAL OF PROPERTY

The Council discussed the advisability of allowing the renters in the City-owned house at 2401 Hartford Road to continue paying the low rent of \$75.00 per month. Councilman Janes suggested that after the expiration of the 90-day period stipulated in the purchase contract, the Council should reevaluate the rent.

Councilman Janes moved the Council rent the house to the owners for 90 more days at \$75.00 a month, with the provisions that the Council would reconsider the rent at the end of that time, that the tenants would have no right to possession after that period, and that the contract would be on a month to month basis. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

#### WATER QUALITY STUDY

City Manager Tinstman distributed a recommendation for a joint study by the LCRA and the City of Austin of the Water Quality Study. He stated that the study was concerned with the long range developmental aspects of lake pollution, future urban development, sanitary sewage facilities, and natural, mineral contamination. The proposal was as follows.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That R. M. Tinstman, City Manager, or his designated representative, to sign, on behalf of the City, an application with the Texas Water Quality Board, and all other related or necessary documents, for financial assistance for a Water Pollution Control Study, jointly with the Lower Colorado River Authority, for a coordinated, cooperative and area-wide water quality control study of the Highland Lakes System.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

Councilman Long pointed out that there should be more signs about dumping debris. She said that property owners living on the Lake had noticed more garbage than usual. Councilman Nichols suggested that signs be put on marinas and boat-launching docks.

Mayor Akin then announced that he would be absent from the afternoon session.

RECESSED MEETING

2:30 P.M.

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

ZONING APPLICATION WITHDRAWN

SOPHIE WENDLANDT	3011-3017 West 35th St.	From "A" Residence to "BB"
ESTATE	3303-3425 Maywood Ave.	Residence
by Walter Wendlandt	3302-3422 Maywood Ave.	NOT RECOMMENDED by the Planning
C14-68-090	3008-3102 Warren St.	Commission
	3009-3103 Warren St.	
	3303-3417 Scenic Dr.	

Mayor Pro Tem Long said that the Mayor had asked her to announce that he would disqualify himself from voting on the Sophie Wendlandt Estate zoning application. He had some property in the area.

Mr. Walter Wendlandt said he had contacted several of the people who had protested the zoning change at the hearing on June 13th. He now wished to amend his application to limit by deed restriction the number of units to no more than 12 to a building. In all he would limit himself to 93 units.

Mrs. M. E. Ruby, representing herself and her neighbors, stated that they had chosen their home sites for their beauty and that they were opposed to the intrusion of apartments. They were paying high taxes so that they could enjoy the privilege of living in a lovely area of the City. She remarked that the apartment construction would increase traffic congestion, as well.

Councilman Janes thought the heavy traffic would use 35th Street, rather than Scenic Drive. Mrs. Ruby was also opposed to the duplexes already in the neighborhood, stating that they would soon be unkept and undesirable.

Mr. Wendlandt had proposed the vacation of the streets in the area to provide all of the land for private development, parking, and the 93 units.

Mayor Pro Tem Long explained that a zoning request, not recommended by the Planning Commission, could be overruled by four votes. However, since Mayor Akin had disqualified himself and she was opposed to the zoning change, she asked Mr. Wendlandt if he would rather withdraw his application. He stated that his request was reasonable and would not harm the neighborhood. Therefore, he did not wish to withdraw his application. He asked that the Council grant his request for the vacation of Maywood Avenue.

Later in the meeting, however, Mr. Wendlandt asked the Council's permission to withdraw his zoning application. Councilman Nichols moved the Council grant Mr. Wendlandt's request to withdraw his zoning change request. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols  
Noes: None  
Absent: Mayor Akin

Councilman LaRue stated that he had planned to vote against the request. He felt that intensive development had its place in neighborhoods that had deteriorated, that had some indication of decay and lack of maintenance. The area in question was not one of those neighborhoods, however.

Councilman Janes said he was going to vote for the change because 75 duplex units with curb breaks on Scenic Drive would cause no more depreciation to the area than a properly designed apartment development.

Councilman Long asked about the vacation request. Mr. Wendlandt stated that the streets were not developed and that the lots were 10,000 square feet. He pointed out that the same situation existed with three other developers: their property was subdivided just south of his property, where the duplexes and the apartment complex was. He was trying to come up with a plan for the area because he did not think anyone would build a single family home in the vicinity of the duplexes.

Mayor Akin reentered the meeting and again presided.

## STREET VACATION ORDINANCE

Mr. Wendlandt brought a signed request from the abutting property owners, Mr. Tommy Womack and Mr. Burns, to vacate Maywood Avenue. He asked that the Council approve the request.

Mayor Akin introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING FOR PUBLIC USE THOSE CERTAIN PORTIONS OF MAYWOOD AVENUE AND WARREN STREET, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR PUBLIC UTILITY AND DRAINAGE PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager pointed out that 5 feet right of way would be needed for Pecos Avenue. Mr. Wendlandt agreed to dedicate the 5 feet.

## ZONING HEARING CONTINUED

Mayor Akin announced that it was 3:00 P.M. and the Council would hear the zoning cases scheduled for public hearing at this time. Pursuant to published notice thereof, the following zoning applications were publicly heard:

CHARLES M. GOODNIGHT	2300-2362 Burleson Rd.	From Interim "A" Residence, 1st
by Phil Mockford	2301-2435 Parker Ln.	Height and Area & "GR" General
C14-68-113	2400-2436 Metcalfe Rd.	Retail, 5th Height and Area to
		"GR" General Retail, 1st Height
		and Area
		NOT RECOMMENDED by the Planning
		Commission

(continued from June 13, 1968)

Mr. Phil Mockford, representing the applicant, explained that the zoning hearing had been continued to give the owners, the prospective buyers, and the neighborhood a chance to work out a plan satisfactory to all parties concerned. He requested that the hearing be continued for one more week, to June 27, to allow more time for consultation. Several of the property owners were present in the Council Chamber. Mayor Akin asked them if they had any objection to continuing the hearing.

Mr. Robert Fleming, a resident on Parker Lane, objected to the change because he felt there was no need for another shopping center. He stated that there were two others within a mile's distance. Mayor Akin reminded him that the question before the Council was whether or not to continue the hearing.

Mr. Fleming said the people present were hoping to settle the case at this meeting. They were losing pay because of their appearances at the Council meetings. He stated that 65 property owners were in favor of denying the application.

Councilman Long remarked that at the last meeting the surrounding property owners had been given an opportunity to draw up a plan. She added that a "GR" General Retail zoning was on the corner of East Live Oak at the time that many people built their homes in that area.

Mr. Mockford stated that the Planning staff had presented a proposal at the last meeting, and that he had had no indication that it was satisfactory to the opponents. Mr. Ralph Cochran, stated that he would have to make his third trip from Waco to attend the next week's meeting.

Councilman Janes then moved the Council continue the hearing until 2:30 P.M. on June 27. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

E. WUPPERMAN &  
B. SCHENEK  
by Isom H. Hale  
CI4-68-110

8024-8130 Balcones Dr.

From Interim "A" Residence, 1st  
Height and Area to "BB" Residence  
1st Height and Area (as amended)  
NO RECOMMENDATION by the Planning  
Commission (tie vote)

Mr. Isom Hale stated that he had been working with Mr. Reed and the Balcones Civic Group to reach a decision on a feasible buffer area. Mr. Hale then distributed copies of a new plan, stating that his people had no objection to straightening the street involved. They were planning a cul de sac in one area to create a self-contained section with no access to other parts of the neighborhood. The Planning Director pointed out that emergency trucks needed a minimum of 30 feet to maneuver in.

Mayor Akin felt the Council had before it the task of replanning a whole neighborhood. The Planning Director explained that the preliminary plan of the subdivision had been voted on by his department and the Commission had approved it subject to zoning. The complication arose because the area was outside of the City limits where there was no zoning jurisdiction. Mayor Akin asked if the parcel of land should have been annexed before development. The Planning Director agreed that it should have been.

Councilman Janes suggested considering the tract with the Walden Tract. He was concerned about where the Balcones Tract would go from the projection of Steck Avenue. Mr. Hale discussed a plan encompassing Balcones Drive, Steck Avenue, and a proposed school.

At Councilman Long's request, Mr. Hale pointed out on a map all of the subdivisions that were developed, the unplatted property, and the area developed with homes. Mr. Reed had previously indicated that some land fronting on Balcones should be an apartment development to a depth of 300 to 400 feet. Mr. Hale was asked to draw a line that would provide a good buffer zone for the other residences in the area. Mr. Hoyle Osborne, Planning Director, emphasized the necessity of planning a careful joining of the two tracts.

Mr. Richard Baker stated that the Waldens had agreed to a street extending through their property, connecting with an elongated Steck Avenue. No definite plan for street construction had been reached. The Walden's primary concern was to get the area zoned "BB" Residence, 1st Height and Area. Mr. Mayfield owned a tract of land immediately to the west of this tract. He had said that he would prefer that the Walden's tract be zoned "BB" Residence, 1st Height and Area to give his tract a better development than duplexes. It was stated that Messrs. Wupperman, Reeves, and Burns did not object to having the whole Walden tract zoned "BB" Residence, nor did the Leggets. If the entire tract were to become "BB" Residence, there would be a 535 foot depth. If the back portion were to be zoned "A" Residence, the depth would be reduced by 180 feet, leaving a narrow 350 foot tract.

Steck Avenue was discussed as a place for a possible overpass for MoPac Boulevard. Mr. Osborne pointed out, however, that on the advice of the Highway Department and because of the potential high cost of installing an overpass, Steck Avenue was not planned to go through.

Mr. Wayne Burns suggested that the expressway be elevated on a dirt mound. In the future Steck Avenue could be crossed under it at a grade by cutting the dirt out of the hump and building a bridge.

Mr. John Giddens, owner of Balcones Summit, the subdivision directly west of the property, stated that the plan was acceptable to him.

Mr. Reed, representing the Balcones Civic Association, stated that in 1961 the City Council had adopted a plan for the neighborhood. He asked that the plan be followed or that the Council redevelop a plan, rather than changing it piece by piece. The Balcones Civic Association had requested that the two zoning applications be denied to give the City adequate time to restudy the area and to

hold public hearings. His group had tried to reach an understanding with the developers since the last Council meeting but the attempt was unsuccessful.

The Balcones Civic Association had an alternate plan which allowed the two residences presently in existence to remain standing. The area surrounding them would be zoned "A" Residence and be for high quality single-family residences. In a slightly different plan, he suggested tearing down the two houses to provide more "A" Residence land, and three extra lots plus an additional .3 of an acre of apartment zoning. The plan provided for a continuation of North Forest Drive into an area on "A" Residence zoning, as originally anticipated by the Planning Department. The street would continue into Balcones Summit subdivision.

Mr. Reed Stated that he thought it would be sound planning to provide circulation in the area, confining it to the "A" Residential section. While North Forest Drive would abut the apartment zoning, under his plan, there would be no access strip. Although the apartments might face the street, there would be no driveways across it. His first objective was to preserve the value of the existing property by relocating the area of reduced property values off their property and onto the land owned by the developers.

The Balcones Civic Association was also striving to establish a buffer of "A" Residential property along the western boundary of the tracts proposed for rezoning. Their intent was to keep the adjacent undeveloped land to the west available and desirable for single-family residences. Continuation of apartment zoning along Balcones to the Westover Hills area would provide space for between 800 and 1000 apartment units.

The plan would complete the pattern of traffic circulation for the Balcones West subdivision and the adjacent subdivision. It would further connect North Forest with Seebury Drive. Mr. Reed stated that it was a good plan. It provided for 6.5 acres of the Wupperman-Schenek tract for apartment units, with 6 acres for "A" Residence and one acre for streets. He hoped that the Council would give the plan of the Balcones Civic Association its consideration.

Mr. Frank Raco, 3600 Skyline in Balcones West, then appeared before the Council. He was concerned that the Planning Department had given the developers tacit approval to redevelop the land. He stated that apartment dwellers are a transient population and that they do not maintain their homes as homeowners do. Councilman Long reminded him that a person had no right to zone property two or three miles from his home. She stated that it was the apartment owner who was responsible for the upkeep of the apartment units, and often apartment dwellers paid up to \$300 per month. She commented that many units had beautiful pools and landscaping.

Mr. Reed restated the position of the Balcones Civic Association. The members opposed the application because they felt that the land use for the whole area should be planned before small sections of it were zoned.

Mr. C. L. Reeves stated that he would agree to a buffer zone if it would allow the front door of apartments to face the front door of other apartments, instead of the back yard. He was willing to provide a two-lot buffer, composed of duplexes.



Mayor Akin reminded the Council of the purpose of the hearing, that of deciding on a zoning. He felt the matter should go to the Planning Department or the Planning Commission.

Mr. Baker provided a short history of the subdivisions under discussion. He pointed out that the Planning Commission recommended the subdivision subject to zoning. Therefore, he felt that the Planning Commission was in favor of the street plans that were being questioned at the present Council meeting.

Councilman Long suggested continuing the hearing for one week, to enable the Council to study the recommendations further. Mayor Akin felt the people of the neighborhood should agree on the street plan, rather than having the Council make an unwanted decision.

Mr. Osborne stated that the Planning Commission felt that traffic circulation should not be brought through the existing single-family areas, that there should be apartments on MoPac Boulevard, and that the area in question should be predominately single-family residences. The issue, according to him, was where to draw the line between the two types of development.

Mr. Baker stated that his clients were willing to accept "BB" Residence, 1st Height and Area and if granted, they would go ahead with the 60 foot street.

Mr. Reed again stated that he objected to the subdivision's being approved by the Planning Commission before sending notices to the property owners. He felt that justified throwing out that plan and starting with a new plan.

Mr. Osborne pointed out that the split vote of the Planning Commission was simply on "BB" Residence, 1st Height and Area. It was not on a buffer zone. He felt that there was a possibility that there might be a different vote on the proposed buffer.

After more discussion, Councilman Long moved the Council grant the zoning change for the Wupperman-Schenek tract from Interim "A" Residence, 1st Height and Area to "BB" Residence, 1st Height and Area with the west 170 feet and the south 170 feet remaining "A" Residence, and with a 60 foot right of way and the dedication of 6 feet for MoPac Boulevard. The motion, seconded by Councilman Janes, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols  
Noes: Mayor Akin

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

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J. V. WALDEN

by James V. Walden Jr. 8132-8160 Balcones Dr.  
C14-68-112

Tract 1

Tract 2

Rear of 8132-8160  
Balcones Dr.

From Interim "A" Residence,  
1st Height and Area to "BB"  
Residence, 1st Height and Area  
(as amended)

NO RECOMMENDATION by the Planning  
Commission (tie vote)

Mr. Baker stated that his clients were surprised to hear that he would be required to dedicate right of way for MoPac Boulevard. He had not heard about this request in all five hearings on the zoning. His clients were giving up one-fifth of their tract for streets, two of which they thought were unnecessary. After a discussion with his clients, he stated that they were willing to sell the land to the City for the price they had paid, \$5,690 per acre. Mr. Baker stated that Mr. Walden would withdraw before he would dedicate the land.

He wanted to resolve as many of the issues as possible so that the people asking to be heard by the Council would not have to give up their time once again. He pointed out that the Walden tract did not abut any already developed land, so the zoning change would not detract from the value of private homes. He objected to a buffer zone because there was no private property to protect. Also he felt that a lot of traffic would be generated for Steck Avenue.

Mr. Reed then asked the Council to approve the plan submitted by Mr. Osborne. Councilman Janes then moved the Council grant the zoning change to "BB" Residence on the entire tract, subject to successful negotiations for the acquisition of right of way on Balcones (MoPac Boulevard) and the dedication of 35 feet on what would be the extension of Steck Avenue. The motion, seconded by Councilman Nichols, carried by the following vote:

Ayes: Councilmen Janes, Long, Nichols

Noes: Councilman LaRue, Mayor Akin

Mr. Reed asked to go on record as protesting the ruling that a tie vote by the Council would be a negative vote.

Mr. J. H. Templeton, 8000 Havenwood Drive, asked the Council to consider the granting of "A" Residence to the rear of the tract in question, to provide some protection to the single-family areas. He feared that developers were waiting for favorable action to encourage them to build many apartment buildings in the area.

Mr. Nichols asked Mr. Baker to get his client's offer to sell land to the City at \$5,690 per acre in writing.

#### SALE OF PROPERTY

Councilman LaRue offered the following resolution and moved its adoption:

WHEREAS, on June 4, 1968, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 94-68, by which the Board accepted the bid of International Cooperative, Inc. for the purchase of structures located on parcels B-105, D-24 and J-7, situated in the Glen Oaks Project No. Tex. R-70, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 94-68, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 5th day of June, 1968, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said structures; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 94-68;

NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the bid of International Cooperative, Inc. for the purchase of structures located on parcels B-105, D-24 and J-7 in the Glen Oaks Project No. Tex. R-70 are hereby approved.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

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Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 4, 1968, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 95-68, by which the Board accepted the bid of Massie Felder for the purchase of a structure located on parcel A-54, situated in the Glen Oaks Project No. Tex. R-70, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 95-68, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 5th day of June, 1968, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said structure; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 95-68;

NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the bid of Massie Felder for the purchase of a structure located on parcel A-54 in the Glen Oaks Project No. Tex. R-70 are hereby approved.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin

Noes: None

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Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on June 4, 1968, the Board of Commissioners of the Urban Renewal Agency of the City of Austin adopted Resolution Number 96-68, by which the Board accepted the bid of Mrs. L. Sutherland for the purchase of a structure located on parcel J-6, situated in the Glen Oaks Project No. Tex. R-70, and more particularly described in said Resolution; and,

WHEREAS, said Resolution Number 96-68, as an official action of the Urban Renewal Agency of the City of Austin, is a public record on file in the office of said Agency at 614 West 6th Street, and said Resolution is incorporated herein by reference for all purposes; and,

WHEREAS, an executed copy of said Resolution was forwarded to the City Council on the 5th day of June, 1968, by the Executive Director of the Urban Renewal Agency for approval of the price and conditions of the proposed sale of said structure; and,

WHEREAS, the City Council finds nothing objectionable concerning the price and conditions of said bid as submitted, and the recommendation of said Urban Renewal Agency Board as contained in said Resolution Number 96-68;

NOW, THEREFORE:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

That the price and conditions set forth in the bid of Mrs. L. Sutherland for the purchase of a structure located on parcel J-6 in the Glen Oaks Project No. Tex. R-70 are hereby approved.

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

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

#### SALE OF PROPERTY DISCUSSED

City Manager Tinstman brought up the request from the owners of the Gondolier Hotel to sell a portion of right of way to the City and donate a strip along I.H. 35, in return for purchasing the City's option on the land. He stated that he was concerned with the cost of purchasing the land in future years. He expected the cost to escalate steeply. The Council then discussed the matter but took no action on it.

#### EAST 9TH STREET

After some discussion with the City Manager, Councilman Nichols moved the Council authorize negotiations with the First Baptist Church for purchase of the East 9th Street right of way, with all negotiations subject to final approval by the Council. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

#### LARUE REAPPOINTED TO HOC

Councilman LaRue's reappointment to the Human Opportunities Commission was accepted by the Council.

#### ACQUISITION OF PROPERTY

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the offer of the owners and claimants of the hereinafter described tract of land to convey unencumbered fee simple title thereto to the City of Austin in consideration of the cash payment of \$22,375.00 therefor be accepted, and that the City Manager or his designate be and he is hereby authorized to consummate purchase of the following described tract of land, to-wit:

The East Seventeen (17) feet of Lot No. Two (2) and all of Lot No. Three (3) in Block "A", Royal Oaks, Section 3, Travis County, Texas, according to the map or plat thereof recorded in Volume 5, Page 108, Travis County Plat Records.

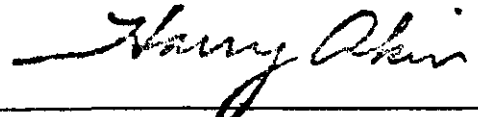
The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen Janes, LaRue, Long, Nichols, Mayor Akin  
Noes: None

ADJOURNMENT

The Council then adjourned.

APPROVED: \_\_\_\_\_

  
Mayor

ATTEST: \_\_\_\_\_

  
Asst. City Clerk