



## Austin City Council MINUTES

For JUNE 19, 1986 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

### City Council

Frank C. Cooksey  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

Council Members  
Mark Rose  
Smoot Carl-Mitchell  
Sally Shipman  
George Humphrey  
Charles E. Urdy

Jorge Carrasco  
City Manager

Elden Aldridge  
City Clerk

### Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Councilmember Urdy, who entered the Council Chamber later in the day.

#### MINUTES APPROVED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, approved minutes for regular meetings of June 5, 1986 and special meetings of June 3 & 4, 1986. (4-0 Vote, Councilmember Urdy absent, Councilmembers Rose and Shipman out of the room.)

#### CITIZEN COMMUNICATIONS

Mrs. D.J. Sibley Jr. presented a sesquicentennial memento to members of the Council. Mr. Marcos deLeon talked about no trucks rule on East 1st Street. Mr. F.L. Freitag discussed fire and emergency medical services in the Oak Hill area. Mr. Gary Brizendine discussed mass transit and road construction. Mr. Rafael Cruz did not appear to speak before Council. Larry Weas talked about taxicab issues. Mr. John Brubaker did not speak. Mr. James Saxton discussed affordable housing, as did Mr. John Nyfeler and Mr. John Henneberger.

#### HOTEL OCCUPANCY TAX STUDY COMMITTEE

Ms. Annette LoVoi presented the majority report on Hotel Occupancy Tax Study Committee and Martha Cotera gave the minority report.

Council set a public hearing for July 17, 1986 at 5:00 p.m.

## BOND SALE

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance approving the awards and sale of City of Austin Public Improvements Bonds, Series 1986. (6-0 Vote, Councilmember Urdy absent.)

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted a resolution authorizing execution of the Paying Agent/Registrar Agreement in relation to the City of Austin Public Improvement Bonds, Series 1986. (6-0 Vote, Councilmember Urdy absent.)

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted a resolution providing for the redemption of certain outstanding obligations of the City; and resolving other matters incident and related to the redemption of such obligations. (6-0 Vote, Councilmember Urdy absent.)

## HOSPITAL ADVISORY BOARD

Jan Freeze and Shirley Walden reported for the Hospital Advisory Board on uncompensated care.

## OLD BUSINESS

Ordinances

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-2 and 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, unless otherwise noted.)

- |     |                                                          |                      |                         |
|-----|----------------------------------------------------------|----------------------|-------------------------|
| (1) | STRATFORD PLACE<br>PUD<br>By Jana Havelka<br>C814-85-033 | 3008 Stratford Drive | From "SF-3"<br>to "PUD" |
|-----|----------------------------------------------------------|----------------------|-------------------------|

Second and third readings. First reading on May 15, 1986, (7-0). Conditions have been met.

- |     |                                                        |                               |                                |
|-----|--------------------------------------------------------|-------------------------------|--------------------------------|
| (2) | JESSE A. MALLORY, JR.<br>By Howard Kells<br>C14-85-209 | 3500 South Lamar<br>Boulevard | From Interim<br>"SF-2" to "GR" |
|-----|--------------------------------------------------------|-------------------------------|--------------------------------|

Second and third readings. First reading October 3, 1985, (7-0). Conditions have been met as follows: Right-of-way South Lamar Boulevard has been conveyed by street deed.

- (3) GENERAL INVESTMENT  
& DEVELOPMENT  
C14r-86-008

4500-4544 South  
Lamar Boulevard

From "GO" to  
"CH"

Second and third readings. First reading April 10, 1986, (5-2). Councilmembers Smoot Carl-Mitchell and Sally Shipman voted "NO". Conditions have been met as follows: Development restricted to that shown on site plan attached as Exhibit "A" to the ordinance.

(4-2-0 Vote, Councilmembers Shipman and Carl-Mitchell voted No, Councilmember Urdy absent)

LATER IN THE DAY:

Motion

Councilmember Rose made a motion, seconded by Councilmember Humphrey to reconsider and motion passed by a vote of 6-0 with Councilmember Urdy absent.

Motion

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second, passed through second and third readings of Case C14r-86-008. (7-0 Vote)

- (4) RUBEN RUIZ & WILLIE  
RODRIGUEZ  
By Ruben M. Ruiz  
C14-85-297

3036 South First  
Street

From "MF-2" to  
"NO"

Second and third readings. First reading December 5, 1985, (6-0). Councilmember Smoot Carl-Mitchell absent. Conditions have been met as follows: Right-of-way on Peacock Lane has been conveyed by Street Deed.

- (5) HUDSON-WILDCAB  
VENTURE  
By Kristaponis,  
Gregory & Associates  
C14-85-300

5612-5900 Hudson  
5800-6004 Wildcab

From Interim  
"SF-3" to "LI"

Second and third readings. First reading December 5, 1985, (6-0). Councilmember Smoot Carl-Mitchell absent. Conditions have been met as follows: Right-of-way dedication has been obtained through subdivision process.

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- (6) GLEN NEANS, TRUSTEE  
By T. L. Irion  
C14-85-364

5108-5919 Boston  
Lane & MoPac South

From Interim "RR"  
to "RR", "SF-1",  
"SF-6", "SF-5",  
"MF-2", "GO",  
"LR", and "GR"

Second and third readings. First reading February 6, 1986, (7-0). Conditions have been met as follows: Restriction covenant incorporating conditions imposed by Council has been executed.

- (7) KALLESTAD LABORATORIES, FM 2222 & McNeil  
INC. Road Ext.  
By David B. Ambrust  
C14r-85-023

From Interim  
"SF-2" to  
"R&D-PDA"

Second and third readings. First reading November 11, 1985, (6-0). Councilmember Sally Shipman absent. Conditions have been met as follows: (1) Development restricted to that shown on site plan attached as Exhibit "B" to the ordinance (2) Planned Development Area Agreement has been executed (3) Right-of-way has been obtained through subdivision process.

- (8) P.P. & R. JOINT VENTURE 3203-3211 Riddle Rd.  
By Kathryn Allen  
C14r-85-317

From Pending  
Annexation to  
"MF-1" & "RR"

Second and third readings. First reading March 20, 1986, (6-0). Mayor Pro Tem John Trevino, Jr. abstained. Conditions have been met as follows: Development restricted to that shown on site plan attached to ordinance as exhibit "A".

5-0 Vote, Mayor Pro Tem Trevino abstained, Councilmember Urdu absent.

- (9) WESTENFIELD DEVELOPMENT 3105 Windsor Road  
COMPANY  
C14-86-038  
By J. Bradley  
Greenblum

From "LO"  
to "LR"

Second + third readings. First reading  
Jan. 5, 1986 (7-0) Conditions have been met.  
No Action Necessary

Listed on the agenda was amendment to restrictive covenant for Franklin Savings and Loan, but no action was necessary since it had already been approved on June 5, 1986.

#### ITEM POSTPONED

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second postponed until July 17 consideration of first reading of an ordinance for Southern Union Gas Company franchise. (4-2-0 Vote, Councilmember Rose voted No, Mayor Pro Tem Trevino voted No, Councilmember Urdu absent.)

Resolutions Postponed

Council postponed until June 26, 1986 the following resolutions:

- a. Consider entering into a lease agreement with Trammell Crow Company for office space for the Office of Economic Development and International Trade.
- b. Consider authorizing the City Manager to enter into an agreement with Babcock and Wilcox Company in the amount of \$20,462,616.00

No Action Taken

No action was taken on consideration of declaring a moratorium on development approvals for projects proposing construction in future right-of-way.

## CONSENT ORDINANCES

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (6-0 Vote)

Operating Budget Amendment

Amended the 1985-86 Annual Operating Budget by

- a. Accepting \$10,000 from the Meadows Foundation, on behalf of the Parks and Recreation Department to help underwrite outdoor summer musical series, free to the public.
- b. Accepting an additional \$36,903.00 from the Texas Department of Health for the period February 15, 1986 through February 14, 1987.

Road Utility Districts

Established a policy and procedure for review of petitions to create Road Utility Districts.

Capital Improvements Program

Approved declaring the necessity for ordering improvements to Spicewood Springs Road, Phase I, Special Assessment Project consisting of 1 unit covering approximately 5 blocks. C.I.P. No. 73/62-31. -----

Approved receiving and accepting work of paving Duval Rd. Phase I, consisting of approximately 10 blocks. C.I.P. No. 79/62-03.

Westridge PUD

Approved 20 LUE's permanent out-of-district service from WCID-20 to a 25.17 acre portion of Westridge PUD.

Zoning Ordinances

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

- a. GUSSIE H. HEBEL                      807 North Bluff Dr.                      From Interim "SF-3"  
By Michael L. Dewvall                      to "MF-3"  
C14-84-140

Heard and granted August 2, 1984, (7-0). Condition have been met as follows: (1) Right-of-way on North Bluff Dr. has been conveyed by street deed (2) Restrictive covenant incorporating conditions imposed by Council has been executed.

- b. 3M                                      10712 R.M. 2222                      From Interim "SF-2" &  
By Jerry Harris                                      Interim "LI"  
C14r-85-118                                      to "R&D"

Heard and granted July 11, 1985, (7-0). No conditions to be met.

- c. JAY TAPP                                      4000-4106 Todd Lane                      From Interim "SF-3"  
By John Bolt Harris                                      to "DL"  
C14-84-326

Heard and granted December 6, 1984, (6-0). Councilmember Mark Rose absent. Conditions have been met as follows: Right-of-way on Business Center Drive (extension) and Todd Lane has been conveyed by street deed.

- d. JAY TAPP                                      4410 Todd Lane                      From Interim "SF-3"  
By John Bolt Harris                                      to "DL"  
C14-84-325

Heard and granted December 6, 1984, (6-0). Councilmember Mark Rose absent. Conditions have been met as follows: Right-of-way on Business Center Drive (extension) and Todd Lane has been conveyed by street deed.

J.J. Seabrook Greenbelt

Approved dedication of two City-owned properties as greenbelt and naming of the two tracts as J.J. Seabrook Greenbelt. (Request submitted by Parks and Recreation Board)

Exemption to Temporary Sign Ordinance

Approved an exemption to the temporary Sign Ordinance 850711-J for Collinwood West Drive.

## ITEM POSTPONED

Postponed until June 26, consideration of adjustment to lease agreement for the ground lease from the City to Congress Associates; and parking lease from Congress Associates to the City.

## CONSENT RESOLUTIONS

Authorized release of the following easements:

- a. Portions of the 7.5' Public Utility and Drainage Easements on the side lot lines of Lot 26, Highland Hills, Section 3, 5828 Trailridge Drive. (Requested submitted by Mr. Jay Velasquez)
- b. A portion of the 7.5' Public Utility Easement on Fairway Estates Commercial A, U.S. 183 at Balcones Club Drive. (Request submitted by Cunningham-Graves, on behalf of the property owners)
- c. A 15' Sanitary Sewer Easement of record in Volume 6056, Page 2149 of the Travis County Real Property Records and located on Lot 3J, Northcross Park Subdivision, Northcross Drive near Anderson Lane. (Request submitted by Espey, Huston and Associates on behalf of Northcross Associates)
- d. A portion of an Electric Easement of record in Volume 915, Page 457 of the Travis County Real Property Records insofar as it affects that certain 3.249 acre tract of land out of the Thomas Grey Survey No. 2, Travis County, Texas. (Request submitted by Mr. Raymond K. Svitra on behalf of John and Sandra Reitmann)
- e. A portion of the 7.5' Public Utility Easement across the rear of Lot 22, Block D, Quail Creek, Phase III, Section IV, 1333 Neans Drive. (Request submitted by McGray and McGray Land Surveyors, Inc. on behalf of the property owners)
- f. Portions of the 10' Public Utility Easement along the side lot line of Lot 1, Block D, Balcones Park Edgemont Section 3604 Edgemont Drive. (Request submitted by Mr. James H. Holland, Jr.)
- g. The Electric Easement of record in Volume 9185, Page 336 of the Travis County Real Property Records, West Desseau Road near I.H. 35. (Request submitted by the City of Austin Electric Utility Department)

Professional Services Agreement

Approved amending the professional services agreement with CECOS International for Household Chemical Waste Collection Day to increase the amount by \$33,650.00.

Capital Improvements Program

Approved a revised local cooperation agreement with the U.S. Army Corps of Engineers for the Boggy Creek Flood Control Project.

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Approved a supplemental amendment to the professional services agreement between the City of Austin and Donohue and Associates, for the implementation of a computerized Water and Wastewater Utility Program Management System and for project manager services. C.I.P. Nos. 85/23-18, 85/23-17, 85/23-30, 85/22-51, 85/22-71, 85/22-63, 85/23-29 & 85/22-90.

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Approved a supplemental amendment to increase the contract amount from \$165,765.00 to \$227,865.00 to International Aerial Mapping Company, for Master Drainage Plan - Mapping (1982-83 Aerial Survey and Mapping, Phase IV).

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Approved the following change orders:

- a. In the amount of \$41,403.20 to Garey Construction Company for Shoal Creek Erosion Control, W. 1st Bridge, Electric Department Wall. (4.51% increase of the original contract amount of \$918,302.50) C.I.P. Nos. 82/60-05 & 73/22-92.
- b. In the amount of \$58,927.44 to Austin Road Company for Braker Lane Paving and Drainage Improvements. (1.5% increase of the original contract amount of \$4,046,075.54) C.I.P. No. 80/62-01.
- c. In the amount of \$46,300.00 to Lewis Contractors, for Davis Water Treatment Plant Transmission Main Phase III Contract. (3.11% increase of the original contract of \$1,490,900.00) C.I.P. No. 85/22-41

Contracts Approved

Approved the following contracts:

- |                                                                                                                       |                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"><li>a. RGD BUILDERS, INC.<br/>2013 Wells Branch Parkway<br/>Austin, Texas</li></ol> | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Additions and Alterations to<br/>Alamo Recreation Center, Public<br/>Works Department<br/>Total \$162,620.00 C.I.P. No.<br/>83/86-72</p> |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



- b. RED SIMPSON, INC.  
2705 Holloway Road  
Pineville, Louisiana
- c. WEST TEXAS SUN ELECTRIC SERVICES  
INC. dba Sun Electric  
1313 E. 5th  
Odessa, Texas
- d. GRANGER ASSOCIATES  
3101 Scott Boulevard  
Santa Clara, California
- e. AUSTIN OXYGEN COMPANY, INC.  
3519 East 5th Street  
Austin, Texas
- f. BALZER'S LANDSCAPING AND  
TRACTOR SERVICES COMPANY  
8215 Rockwood Lane  
Austin, Texas
- g. Bid award:
- (1) COMMERCIAL BODY CORPORATION  
142 Gambler  
San Antonio, Texas
- (2) UEC EQUIPMENT COMPANY  
3004 Navigation  
Houston, Texas
- h. FACTORY SALES UNIFORM COMPANY  
5104 Harrisburg Boulevard  
Houston, Texas
- i. EMCARE, INC.  
3310 Live Oak Street  
Dallas, Texas
- CAPITAL IMPROVEMENTS PROGRAM -  
Overhead Electric Distribution  
Facilities for Northwood Sud-  
division, Electric Utility Dept.  
Total \$35,747.00 C.I.P. No.  
86/14-02
- CAPITAL IMPROVEMENTS PROGRAM -  
Overhead Electric Distribution  
Facilities for I.H. 35 & N. Bluff  
Dr., Electric Utility Department  
Total \$72,976.60 C.I.P. No.  
85/14-02
- Point to Multipoint Radio Equip-  
ment, Electric Utility Dept.  
Total \$93,640.00 86-S555-BD
- Nitrogen Storage Station,  
Electric Utility Department  
Item 1 - \$38,980.00 86-0252-DC
- Weed Lot Clearance, Austin-  
Travis County Health Department  
Total \$98,325.00 86-S443-BD
- Truck-mounted Aerial Towers and  
Bodies, Vehicle and Equipment  
Services Department  
Total \$480,308.00 86-0171-CM/FC
- Item AT-1 - \$190,348.00
- Items AT-2 & AT-3 - \$289,960.00
- Uniforms, Vehicle & Equipment  
Department - Twelve (12) Month  
Agreement - Items 1-4  
Total \$44,020.00 86-0210-CM/DC
- Emergency Room Physicians Services,  
Brackenridge Hospital  
Twelve (12) Month Contract  
Total \$1,850,000.00 + incentives  
BC6-137

Item Postponed

Postponed until June 26, 1986 is approval of the following contract:

CROTHALL AMERICAN, INC.  
The Meadows at Interwood  
14950 Heathrow Forest Pkwy, Ste. 130  
Houston, Texas

- Consultant/Management Housekeeping  
Services, Brackenridge Hospital  
Twelve (12) Month Contract  
Total \$1,283,179.00

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Postponed until June 26, 1986 is consideration of approval of an amendment to the Shared Medical Systems Contract for installation of software at an estimated cost of \$336,000.00.

Contract Amendment

Approved amending the generation sales contract with Houston Lighting and Power from 800 megawatts to 500 megawatts.

Comprehensive Plan Process

Approved a contract to provide training and coordination of the facilitators participating in the Comprehensive Plan Process.

Grant Application

Authorized submission of a grant application to the Department of Education for \$24,813.00 to expend literacy training in the Austin Public Library.

Inducement Resolution

Approved an inducement resolution for industrial development bonds for a recreational facility by Aqua Festival Park Development, Inc. on City-owned land.

Items Postponed

Postponed until June 26, 1986 the following:

- Adoption of CDBG Program Guidelines for the Housing and Economic Fund.
- Adopting Social Service Agency Funding Policies.
- Authorization to oppose all discharge permits from package treatment plants within the City of Austin extra-territorial jurisdiction that do not meet the suggested guidelines outlined in the Comprehensive Watershed Ordinance.

Commission for Women Task Force

Approved extending the time limit of the resolution which established the Commission for Women Task Force to Thursday, August 14, 1986.

Items Postponed

Postponed until June 26, 1986 are the following resolutions:

- Consider selection of a lease consultant for the Municipal Office Consolidation Project.
- Consider approving an agreement for an Electric Utility Lease.

Public Hearing Set

Set a public hearing for July 17, 1986 at 5:30 p.m. on an ordinance amending Chapter 13-2A (Revised Zoning Regulations) to provide for site plan review and additional regulations for duplexes containing six or more bedrooms per lot.

Acquisition of Right-of-Way

Approved acquisition of right-of-way. (MoKan - City of Austin supports the MoKan Transportation Corporation's efforts to acquire right-of-way to develop roadway and transit facilities in the northeast section of Travis County.)

## TOWN LAKE PARKLAND

Council had before them an ordinance and a resolution concerning Town Lake Parkland. COMPLETE TRANSCRIPT OF ACTION IS ON FILE IN THE CITY CLERK'S OFFICE.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance allocating funds from the Town Lake Parkland Fund to provide for professional services related to Town Lake Parkland. (6-0 Vote, Councilmember Urdy absent.)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, adopted a resolution to enter into the necessary professional services agreements related to Town Lake Parkland. (6-0 Vote, Councilmember Urdy absent.)

## PUBLIC HEARING - RIGHT-OF-WAY DEDICATION

Mayor Cooksey opened the public hearing set for 2:00 p.m. on establishing right-of-way dedication and reservation policy for the City, providing requirements and amending the subdivision ordinance accordingly.

Terry Morgan, Assistant City Attorney reviewed.

Bill Howell, president of Oak Hill Business and Professional Association, asked questions about time frames and said the process takes 10 months of significant time and money which does not belong to the Council, it belongs to someone else's livelihood and investments. Mr. Morgan said this is a catch 22 and said the time should be shortened and not drag it out forever when they are dealing with another man's property.

Sid Sanders said they have a site plan which will be coming to Council soon which they have been working on a long time and hopes they will not have another 10 month process to figure out how this ordinance will be retroactively applied to them.

After further discussion by Councilmembers the following motion was made:

Motion

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, passed through FIRST READING ONLY of an ordinance establishing right-of-way dedication and reservation policy for the City, providing requirements and amending the subdivision ordinance accordingly. (6-0 Vote, Councilmember Urdy absent.)

## PUBLIC HEARING - APPEAL OF BUILDING STANDARDS COMMISSION ORDER

Mayor Cooksey opened the public hearing set for 3:00 p.m. on an appeal of the Building Standards Commission Order to reduce occupancy load and provide natural light and ventilation on the structure located at 2007 East 7th Street.

Nelson Page, Building Inspection Department, asked Council to uphold the Building Standards Commission.

Clint Butler, Director of Caritas, supports the Bunk Haus as it is called.

Leon Anderson, graduate student, University of Texas, spoke in favor of the structure.

Mr. Prudhomme suggested they have four fire doors with windows.

After Council discussion and with the Mayor's direction to Building Inspection to check the building periodically, the following motion was made:

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, closed the public hearing and granted a variance on occupancy on the structure located at 2007 East 7th Street. (6-0 Vote, Councilmember Urdy absent.)

HEARINGS SET

The following hearings were set for appeals to Council:

1. Public hearing on an appeal of the Building Standards Commission Demolition Order on the commercial structure located at 204 Montopolis Drive: July 3, 1986 at 4:00 p.m.
2. Public hearing requested by Ms. Judy Thweatt on an appeal of the Planning Commission's decision to deny a site plan waiver for the Horizon Project, 5616 through 5822 R.M. 620 North, CSW-86-024: July 3, 1986 at 7:00 p.m.
3. Public hearing on request of Mr. H.C. Cleckler on an appeal of the Planning Commission's decision to grant a conditional use permit and "CS-1" zoning for 114 Huntland Drive: July 17, 1986 at 5:00 p.m.

PUBLIC HEARING - KRAMER LANE SERVICE CENTER

Mayor Cooksey opened the public hearing set for 5:00 p.m. on an appeal of the Planning Commission's decision relating to additions to Kramer Lane Service Center for Solid Waste Transfer Station. (Case No. C14p-85-047)

After hearing from Janet Klotz, David Vann, Vicki Brown, and Don Bell concerning their opinions, the following motion was made:

Motion

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, closed the public hearing. (6-0 Vote, Councilmember Urdy absent.)

There was no motion by Council to uphold or deny appeal, therefore the action of the Planning Commission to allow additions to the Kramer Lane Service Center for a solid waste transfer station was sustained.

## ZONING HEARINGS

Mayor Cooksey announced Council would hear zoning hearings. Council heard, closed public hearings or withdrew the cases as designated.

h-83 ARMSTRONG ODEM 614 Blanco  
013 HOUSE  
By City of Austin

From "MF-4"  
to "NO-H"  
NO RECOMMENDATION  
WITHDRAWN

(On Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, 6-1 Vote, Councilmember Humphrey voted No.)

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-85 OAK HILL HTS.  
288 JOINT VENTURE  
(part) (Case 17)

7301-7333 U. S. 290  
West

From "1-RR"  
To "MF-2" (as amended)  
"SF-2"  
NOT RECOMMENDED  
RECOMMENDED to grant  
"LO" (10.9 acres)  
"SF-2" (14.65 acres)  
as recommended by the  
Oak Hill Area Study.

Motion - DIED FOR LACK OF SECOND

Councilmember Shipman made a motion to support the Planning Commission recommendation which is "LO" and "SF-2". Motion died for lack of a second.

Mayor Pro Tem Trevino took the chair so Mayor Cooksey could make a motion.

Motion

Mayor Cooksey made a motion, seconded by Councilmember Carl-Mitchell to pass through FIRST READING ONLY the following:

Tract A, 17.8 acres "MF-2" limited to 13.5 units per  
acre  
Tract B, "SF-2", 7.75 acres

Councilmember Carl-Mitchell asked, "Does that provide staff recommendation with the conditions that it be limited to 225 units .... right-of-way and the provision of maintenance of the buffer. And buildings limited to two stories." Mayor Cooksey said "That's right."

Councilmember Shipman stated, "In the spirit of compromise since this is going to be the first multi-family of the three cases we are looking at tonight I'd like to propose a friendly amendment:"

Friendly Amendment - Accepted

Councilmember Shipman offered a friendly amendment that there be only one curb cut onto Birdview and that there be a 30' undisturbed landscape buffer along Breezy Pass, which was volunteered by the applicant, and that there be no dumpsters, air conditioners or mechanical devices visible from Birdview or Breezy Pass. Mayor Cooksey accepted the friendly amendment.

Roll Call on Motion

7-0 Vote

-----  
-85 NASH PHILLIPS/ 5904-7304 Convict  
318 COPUS, INC. Hill Road  
-85 By Minter, Joseph  
288 & (Case 18)  
(part)

From "I-RR"  
To Lots A, B, & C "MF-3"  
Lots D, E, & F "LR"  
NOT RECOMMENDED  
RECOMMENDED to grant  
"LR" for Lots D, E, & F;  
"SF" for A, B, & C  
limited to overall  
density of six (6) units  
per acre, with four (4)  
units per acre along  
west and increasing  
westward against "LR".  
TIA to be re-figured to  
see if fiscal require-  
ments in staff recom-  
mendation could be  
reduced. Recommend  
that Council consider  
refunds/credits for  
applicant as expenses  
incurred prior to  
annexation were based  
on subdivision require-  
ments only.

Motion

Councilmember Shipman made a motion to zone "SF-6" for the entire tract. Mayor Cooksey seconded the motion.

Friendly Amendment

Councilmember Carl-Mitchell offered a friendly amendment

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"that there won't be any CO's on this until the improvements are made to Escarpment Boulevard and also I'd like to increase the overall density on the tract to 8 units with the same transition requirements." Councilmember Shipman accepted the friendly amendment.

Councilmember Shipman said the transition requirements as volunteered by the applicant were:

1. Poncho Pass, Oak Hills Drive and Milner Pass not be extended through the neighborhood.
2. There be a landscape greenbelt between the neighborhood and the development of the tract of 75 feet and the overall density of 8 units per acre would be appropriate.

Marie Gaines, "I'd like a clarification regarding the CO's. (Certificate of Occupancy) Mr. Carl-Mitchell, you said no CO's would be issued until improvements to Escarpment Boulevard. Just for the record, Convict Hill Road, abutting the subject tract, did you mean that specific portion of it?" Councilmember Carl-Mitchell said, yes, so there is adequate access. Ms. Gaines explained Escarpment Road and Convict Hill are used interchangeably as a name in the area.

Substitute Motion - FAILED

Councilmember Urdy made a substitute motion, seconded by Mayor Pro Tem Trevino to accept staff recommendation. Motion failed by a vote of 2-5 with Councilmembers Carl-Mitchell, Humphrey, Rose and Shipman and Mayor Cooksey voting NO.

Roll Call on Motion with Friendly Amendment

7-0 Vote

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-86 OAK HILL HEIGHTS 8500-8900 FM  
004 JOINT VENTURE 1826  
By Vera D. Massaro

From "I-RR"  
To Tr. 1 "SF-2"  
Tr. 2 "MF-1"  
Tr. 3 "MF-1"  
Tr. 4 "SF-4A"  
Tr. 5 "SF-2"  
Tr. 6 "SF-3"  
NOT RECOMMENDED  
RECOMMENDED to grant  
staff recommendation on  
Tr. 1, 2 & 4-6, SF-2 on  
Tr. 3 and RR for  
floodplain.

(Recommendation was taken from zoning change review sheet. No information was given for putting on the agenda.)



Motion

Councilmember Carl-Mitchell made a motion to adopt the Planning Commission recommendation on Tracts 1, 4, 5 and 6.

Tract 1 "SF-2"  
Tract 4 "SF-4A"  
Tract 5 "SF-2"  
Tract 6 "SF-3"

The motion was seconded by Councilmember Humphrey and passed by a vote of 7-0.

Motion

Councilmember Humphrey made a motion to grant "MF-1" on Tracts 2 and 3 at 13.5 units per acre with zoning restrictions of a strip of "SF-2" on Poncho Pass and Birdview, no access onto Birdview, rear entrance only, tile roofs, 35% masonry on MF-1, swimming pools, they work with Resource Management and close off Breezy Pass. Councilmember Urdy seconded the motion.

Councilmember Carl-Mitchell asked that the question be divided.

Motion

Roll Call on motion for TRACT 2 ONLY. 5-2 Vote, Councilmembers Shipman and Carl-Mitchell voted No.

Motion

Councilmember Humphrey made a motion to grant "MF-1" on Tract 3 at 13.5 units per acre with zoning restrictions of a strip of "SF-2" on Poncho Pass and Birdview, no access onto Birdview, rear entrance only, tile roofs, 35% masonry on "MF-1", swimming pools, they work with Resource Management and close off Breezy Pass. Mayor Pro Tem Trevino seconded the motion.

Substitute Motion

Councilmember Shipman made a substitute motion to support the Planning Commission recommendation on Tract 3, "SF-2". Councilmember Carl-Mitchell seconded the motion.

Roll Call on Substitute Motion - FAILED

3-4 Vote, Councilmember Urdy, Mayor Pro Tem Trevino and Councilmembers Humphrey and Rose voted No.

Roll Call on Motion

5-2 Vote, Councilmember Shipman and Carl-Mitchell voted No.

## EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to discuss the following. No action will be taken except in open meeting:

- a. Board & Commission Appointments - Section 2, Paragraph g.
- b. Land Acquisition - Section 2, Paragraph f.
  - (1) Electric Utility Lease
  - (2) Town Lake Parkland
  - (3) Municipal Office Complex
- c. Pending Litigation - Section 2, Paragraph e.
  - (1) Gas Utilities Docket No. 5980, Calculation of CACOG for Valero Transmission Company.
- d. Personnel Matters, Section 2, Paragraph g.

## RECESS

Council recessed for executive session at 9:05 and resumed their recessed meeting at 9:35 p.m.

## PUBLIC HEARING

Mayor Cooksey opened the public hearing set for 6:30 p.m. on amending Chapter 9-6 of the 1981 Austin City Code, defining and regulating lobby efforts related to municipal affairs and personnel.

John Hildreth spoke to Council.

Motion

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, passed through FIRST READING ONLY of an ordinance amending Chapter 9-6 of the 1981 Austin City Code, defining and regulating lobby efforts related to municipal affairs and personnel. (7-0 Vote)

## PUBLIC HEARINGS

Mayor Cooksey opened the public hearings scheduled for 7 p.m. through 8:15 p.m. on six proposed annexations. Council heard several speakers and then closed the public hearings as follows:

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, closed the public hearing on Decker Creek MUD #1,2,3,4 & 5 Area for Full Purpose. (7-0 Vote)

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, closed the public hearing on North Travis County MUD #1,2 & 3 Area for full purpose. (C7ar-86-003)

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, closed the public hearing on Moore's Crossing MUD for full purpose. (C7ar-86-002) (7-0 Vote)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, Closed the public hearing on Brodie Tract Area for full purpose. (C7ar-86-010) (6-0 Vote, Mayor Pro Tem Trevino abstained.)

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, closed the public hearing on North Oak Areas for limited purpose. (C7ar-86-009) 5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy were out of the room)

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, closed the public hearing on Boston Lane (Southwest Parkway) Area for limited purpose strip annexation. (6-0 Vote, Councilmember Urdy out of the room.)

**RESOURCE PEOPLE**

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, ratified the City Manager's appointment of resource people to two of the Comprehensive Plan Task Groups: (Land Development Task Group not yet ratified. (7-0 Vote)

**Transportation Task Group**

1. David Dobbs
2. Charles Heimsath
3. Allan McMurtry
4. Lisa Nungesser
5. Ruth Reeder
6. Mike Weaver

Water and Wastewater Task Group

1. Bill Carter
2. Deborah Dahlke
3. Davis L. Ford
4. Jim Fries
5. Henry Herdol
6. Albert Johs
7. Elyse Pivnick

ADJOURNMENT

Council adjourned its meeting at 10:21 p.m.