



# Austin City Council MINUTES

NOVEMBER 2, 1995  
1:00 P.M.

Mayor Todd called the meeting to order, Councilmember Reynolds temporarily absent.

1. Approval of Minutes for Worksession of October 18, 1995 and Regular Meeting of October 19, 1995.  
Approved on Mayor Pro Tem Garcia's motion, Councilmember Shea's second, 6-0 vote, Councilmember Reynolds temporarily absent.

## CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Robert L. Thomas, to discuss Rosewood Park.
3. Mr. Arvid Tadao Youngquist, to recommend approval of Mr. Johnson's petition to continue business as a vendor on 6th Street; recommend that City Council be furnished a written report of investigation with appropriate interviews concerning Mr. John Johnson's complaint about his experience with Austin Police Department.
4. Mr. Gus Pena, to discuss activities for youth, housing issues and revitalizing the economy in East Austin.
5. Mr. Horace E. Willis, to discuss neighborhood concerns.
6. Mr. Steve Agan, to discuss the possibility of getting a permit or some form of legal authorization to play the highland bagpipes on 6th Street at night.  
**Absent**
7. Mr. Gary Taylor, to discuss issues in the Electric Utility Department.  
**Absent**
8. Ms. Barbara Rush, to discuss employee relations.
9. Ms. Carol Guthrie, to discuss employee relations.
10. Mrs. Lottie Hancock Bohls, to discuss city and police fees assessed on homeowners and citizens of Austin, Texas.

## ACTION ON CONSENT AGENDA

## ITEMS CONTINUED FROM PREVIOUS MEETINGS

11. Direct the City Manager to participate in a comprehensive financial management evaluation of city

operations. (Councilmembers Brigid Shea and Jackie Goodman, and Mayor Pro Tem Gus Garcia)  
[Related to Item 51]

Approved on Mayor Pro Tem Garcia's motion, Councilmember Shea's second, 7-0 vote.

12. Consider an appeal by Teri Road Baptist Church of drainage utility fees assessed to the Church, and provide direction to the City Manager.

Approved with friendly amendment by Councilmember Reynolds to grant one year cash refund, previous years in credit, on Councilmember Mitchell's motion, Councilmember Reynolds' second, 4-2-1 vote, Mayor Pro Tem Garcia and Councilmember Shea voting "NO", Councilmember Nofziger abstaining.

Substitute motion by Mayor Pro Tem Garcia to approve staff recommendation to deny and for Legal to draft a new ordinance, Councilmember Shea's second, 3-3-1 vote, Mayor Todd, Councilmember Mitchell and Reynolds voting "NO", Councilmember Goodman abstaining.

Substitute motion fails.

## ORDINANCES

13. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning the property locally known as Southwest Parkway and Wier Hills Road, Case No. C14-94-0144, From P and I-RR to SF-2. FM PROPERTIES OPERATING CO. (Charles Holmes), by Strasburger & Price (David Armbrust). First reading on September 14, 1995; Vote 4-1-2, Goodman against and Todd and Shea absent. Second reading on October 5, 1995; Vote 4-3, Goodman, Shea and Nofziger against. Note: The recommendation to dedicate up to 30 feet of right-of-way from the centerline of Wier Hills Road was withdrawn by Staff and deleted by the City Council at the first reading of the ordinance.

Postponed to November 16, 1995

14. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as Rialto Boulevard, Case No. C14-94-0113, from "CS", Commercial Services to "MF-2", Multifamily Residence (low density) and "RR", Rural Residence for the 100-year floodplain along the south property line, F.M. PROPERTIES OPERATING CO. (Ernest E. Howard), by Strasburger & Price, L.L.P. (David Armbrust). First reading on November 17, 1994; Vote 4-1, Councilmember Goodman voting "No", Mayor Todd absent, and Councilmember Mitchell out of the room. Second reading on July 27, 1995; Vote 4-3, Nofziger, Goodman and Shea voting "No". (The previous conditional overlay to impose S.O.S. requirements was removed at second reading.)

Postponed to November 16, 1995

15. Approve third reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning the property locally known as 9218 1/2 E. U.S. Hwy. 290., Case No. C14-95-0073, From "DR" Development Reserve to "LO" Limited Office and "RR" Rural Residential for 100-year flood plain. MICHAEL JOSEPH, First reading on October 5, 1995; Vote 7-0. Second reading on October 19, 1995; Vote 5-0-1, Todd absent, Mitchell Abstained. Note: The request for SF-1 zoning east of Buttercup Creek was withdrawn by the applicant at first reading. The request for RR zoning for the flood plain was approved by the City Council at second reading. The applicant and the adjacent neighborhoods have agreed to a private restrictive covenant that will be executed prior to third

reading.

**Ordinance No. 951102-A approved**

16. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2100 to 2120, 2200 to 2220 & 2300 to 2320 U.S. Hwy. 183, and 2001 to 2009 Hoeke Lane, Case No. C14-94-0156, from "DR", Development Reserve to "LI", Limited Industrial Services for Tracts 2, 3 & 4; and RR, Rural Residential for Tract 1 determined to be within the 100 year floodplain of Carson Creek, MET CENTER NYCTEX. LTD. (Howard Yancy). First reading on July 27, 1995; Vote 6-0, Goodman off the dais. Conditions met as follows: a restrictive covenant incorporates conditions imposed by Council.

**Ordinance No. 951102-B approved**

17. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 7400 to 7700 East Ben White Blvd. and 2101 to 2119, and 2201 to 2219 Hoeke Lane, Case No. C14-94-0157, from "DR", Development Reserve to "LI", Limited Industrial Services for Tracts 6, 7 & 8; and RR, Rural Residential for Tract 5 determined to be within the 100 year floodplain of Carson Creek, MET CENTER NYCTEX. LTD. (Howard Yancy). First reading on July 27, 1995; Vote 6-0, Goodman off the dais. Conditions met as follows: a restrictive covenant incorporates conditions imposed by Council.

**Ordinance No. 951102-C approved**

18. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 3000 Block of Duval Road, Case No. C14-95-0103, from "LO", Limited Office to "GR-CO", Community Commercial-Conditional Overlay and "RR", Rural Residence for the floodplain; the provisions of the overlay would: (1) limit the "GR-CO" portion of the site to LO, Limited Office site development regulations; (2) permit LO uses; (3) only permitted GR uses are - Hotel-Motel, Medical Office, and Restaurant (general & limited); (4) limit the trip generation to less than 2,000 vehicle trips per day, GOTTESMAN COMPANY (Sanford Gottesman), by The Liverman Company (Robert J. Liverman). First reading on September 28, 1995; Vote 5-0, Mitchell off the dais and Garcia absent. Conditions met as follows: conditional overlay incorporates conditions imposed by Council.

**Ordinance No. 951102-D approved**

19. Approve second reading of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as U.S. Hwy. 290 West and Staggerbrush Road, Case No. C14-95-0104, from "GR-CO", Community Commercial-Conditional Overlay & "GR-MU-CO", Community Commercial-Mixed Use Combining District-Conditional Overlay to "GR-CO", Community Commercial-Conditional Overlay & "GR-MU-CO", Community Commercial-Mixed Use Combining District-Conditional Overlay, subject to deleting the prohibition of access to U.S. Hwy. 290; the remaining conditions dealing with floor-to-area ratio limits will not be changed. SECURITY CAPITAL PACIFIC TRUST (Joe DiCristina), by Minter, Joseph, Thornhill & Graber (Ken Brown). First reading on September 28, 1995; Vote 5-0, Mitchell off the dais and Garcia absent. Conditions met as follows: No conditions to be met. As the result of right-of-way acquisition for the expansion U.S. Highway 290 West, the staff and applicant request an adjustment of the allowed floor-to-area ratio from 0.15 on Tract #1 and 0.35 on Tract #2 to 0.25 on both Tracts #1 and #2, combined.

**Approve second reading only**

20. Amend Ordinance 940407-H, enacted by City Council on April 7, 1994, to correct the legal description for C14-94-0017 - MORADO CIRCLE LTD. (Harvey Doerring), by Site Specifics (Bobbie Jo Cornelius), 10617 Morado Circle.  
**Ordinance No. 951102-E approved**
21. Amend Ordinance 940407-I, enacted by City Council on April 7, 1994, to correct the legal description for C14-94-0018 - MORADO CIRCLE LTD. (Harvey Doerring), by Site Specifics (Bobbie Jo Cornelius), 10701 Misting Falls Trail.  
**Ordinance No. 951102-F approved**
22. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4 (G), Speed Limits, for the installation of a 30 mph school zone on Airport Boulevard (Loop 111) for students attending Govalle School. (No fiscal impact. Installation by Texas Department of Transportation.)  
**Ordinance No. 951102-G approved**
23. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4 (G) Speed Limits, for the installation of a 30 mph school zone on Metric Boulevard for students attending Parmer Lane Elementary School and Westview Middle School. (Funding in the amount of \$8,200 for solar powered flashers, signs and pavement markings is available in the 1995-96 Child Safety Fund of the Public Works and Transportation Department.)  
**Ordinance No. 951102-H approved**
24. Approve changing the street name of the entire length of GAINES RANCH ROAD to MCDADE DRIVE (from the intersection of Sendero Drive and Gaines Ranch Road westerly to the intersection of Gaines Ranch Road and Republic of Texas Blvd). (Processing and street sign fees to be paid by the requester.)  
**Ordinance No. 951102-I approved**
25. Authorize acceptance of \$50,060 in grant funds from the Institute of Museum Services for operating expenses for Pioneer Farm; amend Ordinance 950911-A, the 1995-96 operating budget special revenue fund, by appropriating \$50,060 in grant funds for the Parks and Recreation Department. (A City match is not required.)  
**Ordinance No. 951102-J approved**
26. Authorize acceptance of \$27,182 in additional grant funds from the Texas Department of Health for immunization initiatives; amend Ordinance 950911-A, the 1995-96 operating budget, amending the Special Revenue Fund by appropriating an additional \$27,182, for a total grant amount of \$260,718; and authorizing 1.0 additional full-time equivalent grant funded position.  
**Ordinance No. 951102-K approved**
27. Amend Ordinance 950911-A, the 1995-96 operating budget, by increasing the number of City full-time equivalent (FTE) positions reimbursed by Travis County from 90.15 to 92.15; amending the Health and Human Services Department operating budget for the General Fund by \$29,752 and for the Federally Qualified Health Center (FQHC) fund by \$17,546 and expense refunds by the same amount. (The County reimburses the actual cost for these positions per the Health Authority Interlocal Agreement.)  
**Ordinance No. 951102-L approved**

28. Approve full purpose annexation for the following areas: Texas Oaks/Bilbrook Area, Cherry Creek Area, Park Ridge Area, Cullen Road Area, The Terrace, Ridgewood Road Area, and Loop 360/Barton Creek Area. (Funding is available in the 1995-96 operating budget for required services.)  
**Approve first reading only for Texas Oaks/Bilbrook Area, second/third readings on November 16, 1995 with a tentative November 14th public hearing in the Texas Oaks area**  
Ordinance No. 951102-M approved for the Cherry Creek Area  
Ordinance No. 951102-N approved for the Park Ridge Area  
Ordinance No. 951102-O approved for the Cullen Road Area  
Ordinance No. 951102-P approved for the Terrace  
Ordinance No. 951102-Q approved for the Ridgewood Road Area  
Ordinance No. 951102-R approved for Loop 360/Barton Creek Area

## RESOLUTIONS

29. Approve an amendment to the grant agreement between the City of Austin and the Austin Community Development Corporation for in-kind equipment, professional and support services for small minority/women owned businesses, in the amount of \$150,000. (Funding is available in the Special Revenue fund of the Neighborhood Housing and Conservation Office 1995-96 Community Development Block Grant 21st year.) [Recommended by Housing Subcommittee]  
**Approved**
30. Authorize \$188,000 in grant funds from the Housing Implementation Program Community Development Block Grant (HIP-CDBG) to Rights of Passage Development Corporation to purchase a minimum of forty-six (46) lots in the Meadows of Walnut Creek Subdivision and provide program funds for the Rights of Passage Development Corporation; approve allocating \$510,000 of HOME Improvement Partnership deferred loans for homeowners purchasing new homes from the Rights of Passage Development Corporation in the Meadows of Walnut Creek Subdivision on or before August 30, 1997. (Funding in the amount of \$188,000 is available in the Special Revenue Fund of Neighborhood Housing and Conservation Office for the Housing Implementation Program (HIP-CDBG) 21st Year funds. Funding in the amount of \$510,000 is available in the HOME Year 4 Investment Partnership Fund.) [Recommended by Housing Subcommittee]  
**Approved**
31. Authorize negotiation and execution of contracts for the Home Maintenance Program with the AUSTIN AREA URBAN LEAGUE, INC., Austin, Texas, in an amount not to exceed \$519,247, and with the UNITED CEREBRAL PALSY ASSOCIATION OF THE CAPITAL AREA, INC., Austin, Texas, in an amount not to exceed \$342,194 with two (2) twelve (12) month extension options in an amount not to exceed \$519,247 and \$342,194 respectively, for a total amount not to exceed \$2,684,323. (Funding is available in the Special Revenue Fund of Neighborhood Housing and Conservation 21st Year (95-96) Community Development Block Grant (CDBG) funds.) Sole proposals. M/WBE Subcontractor participation: United Cerebral Palsy (26.3% MBE, 5% WBE); Urban League (19.5% MBE, 0% WBE.) [Recommended by Housing Subcommittee]  
**Approved**
32. Approve Change Order #3 to HILMAN CONSTRUCTORS, INC., Austin, Texas, for various building code and/or inspector-generated changes as part of the Improvements to the Austin History Center

project, in the amount of \$6,132, for a total contract amount of \$1,195,484. (Funding was included in the 1992-93 Capital budget of the Library Department.) 24.46% MBE, 0% WBE Subcontractor participation.

**Approved**

33. Approve execution of a contract with SQL\*SYSTEMS, INC., (MBE/MH), Houston, Texas, to procure services to design, develop and implement an information reporting system to track prime and subcontracting awards, related statistics and payments required under the new M/WBE Ordinance, in an amount not to exceed \$228,742. (Funding is available in the 1995-96 operating budget of the Finance and Administrative Services Department.) Best proposal of four (4). No M/WBE Subcontracting opportunities were identified.

**Approved**

34. Approve execution of a twelve (12) month service agreement with UNITOG RENTAL SERVICES, INC., Dallas, Texas, for the rental of uniforms for the Fleet Services Division, in an amount not to exceed \$58,164.15 with two (2) twelve (12) month extension options in an amount not to exceed \$58,164.15 per extension, for a total amount not to exceed \$174,492.45. (Funding is available in the 1995-96 operating budget of the Fleet Services Division, Finance and Administrative Services Department.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.

**Approved**

35. Authorize execution of a six (6) month extension amendment to a service agreement with the SAFRA GROUP, INC., Southhampton, Pennsylvania, for automated billing and information services for the Federally Qualified Health Center (FQHC), in the amount of \$150,000 with two (2) six (6) month extension options in the amount of \$150,000 per extension, for a total amount not to exceed \$450,000. (Funding is available in the 1995-96 operating budget of the Federally Qualified Health Center (FQHC) fund for the Health and Human Services Department. Funding for the extension options is contingent upon available funding in future budgets.)

**Approved**

36. Approve a temporary street closure application from ST. PATRICK'S OF TEXAS, BREWER'S SUPPLY COMPANY, for temporary closure of the 400 block of Guadalupe Street (from 11:00 a.m. to 11:00 p.m.) for a street festival on November 4, 1995. (The \$50 street closure fee to be paid by the applicant.)

**Approved**

37. Approve a construction contract award to THE BARR COMPANY (WBE/FH), Austin, Texas, for interior remodeling at Waller Creek Center located at 625 East 10th Street, in the amount of \$269,000. (Funding was included in the 1993-94 Capital budget of the Water and Wastewater Utility.) Low bid of five (5). 17.06% MBE, 5.37% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

**Approved**

38. Authorize negotiation and execution of Amendment #7 to the Professional Services Agreement with S.A. GARZA ENGINEERS, INC. (MBE/MH), Austin, Texas, for the Anderson Mill Transmission Main Project, in the amount of \$45,600, for a total amount of \$423,760. (Funding was included in the 1995-96 Capital budget of the Water and Wastewater Utility.) 8.50% MBE, 20.70% WBE

Subconsultant participation. (Recommended by Water and Wastewater Commission)

**Approved**

39. Approve Change Order #5 to CON-REAL, INC., (MBE/MB), Grand Prairie, Texas, for building repairs and electrical improvements to the Water and Wastewater Utility's South Industrial Drive Service Center, in the amount of \$5,102, for a total amount of \$1,490,223. (Funding was included in the 1994-95 Capital budget of the Water and Wastewater Utility.) 75.83% MBE, 0% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

**Approved**

40. Authorize the negotiation and execution of an agreement with AUSTIN THREE POINTS LAND PARTNERSHIP, LTD., for construction of a 16-inch and 24-inch water main and appurtenances needed for permanent water service within and near the Three Points Common Subdivision with City cost participation for oversizing improvements not to exceed \$25,000 and City cost reimbursement not to exceed \$85,000. (Cost participation, estimated at \$25,000 for oversizing and cost reimbursement estimated at \$85,000, will be paid from the Water and Wastewater Utility's Operating Fund (Approach Main/Refund Contracts). (To be reviewed by Water and Wastewater Commission November 1, 1995)(Recommended by the Water and Wastewater Commission)

**Approved**

41. Approve a twelve (12) month contract award to TEXAS INDUSTRIES FOR THE BLIND AND HANDICAPPED, (TIBH), Austin, Texas, for vegetation control in creeks and detention/sedimentation ponds, and for hauling of excessive vegetation and debris from work performed by the City, in an amount not to exceed \$716,400. (Funding is available in the 1995-96 operating budget of the Drainage Utility.)

**Approved**

42. Authorize negotiation and execution of a License Agreement with the CITY OF BURNET, TEXAS, to provide maintenance upon the Giddings-to-Llano Railroad Right-of-Way in the City limits of the City of Burnet, Texas. (No fiscal impact. All costs to be paid by the City of Burnet.)

**Approved**

43. Authorize negotiation and execution of a License Agreement with STAR ENTERPRISE, INC., Irving, Texas, to locate, construct, maintain and operate an eight (8) inch gravity wastewater line under/across the Giddings-to-Llano Railroad Right-of-Way east of Airport Boulevard. (No fiscal impact. All costs to be paid by Star Enterprise, Inc.)

**Approved**

44. Authorize negotiation and execution of a License Agreement with the LOWER COLORADO RIVER AUTHORITY, Austin, Texas, to locate, construct, maintain and operate 138KV electrical transmission lines across/above the Giddings-to-Llano Railroad Right-of-Way. (No fiscal impact. All costs to be paid by the Lower Colorado River Authority.)

**Approved**

45. Authorize negotiation and execution of a License Agreement with the LOWER COLORADO RIVER AUTHORITY, Austin, Texas, to locate, construct, maintain and operate 138 KV electrical transmission lines across/above the Giddings-to- Llano Railroad Right-of-Way. (No fiscal impact. All

costs to be paid by the Lower Colorado River Authority.)

**Approved**

46. Approve appointment of Bruce P. Cerepaka, P.E. of Huntingdon Engineering and Environmental as consulting and design engineer for the Todd Lane Solid Waste Transfer Station, in connection with the application for an operating permit from said facility, and rescinding the prior appointment of Cook-Joyce Inc. Engineering Consulting. (No fiscal impact.)

**Approved**

47. Approve ratification of contract modification #1 with AMERICAN FIBER MULCH, Austin, Texas, to provide additional revenue to the City in an estimated amount of \$51,360 for the sale of recyclable newspapers, resulting in a new total revenue contract amount of \$56,400. (Revenues are expected to be \$51,360 higher in 1995-96 than would have been realized under the original terms. The additional 1995-96 revenue was included in the 1995-96 operating budget of the Solid Waste Services Fund.)

**Approved**

48. Authorize negotiation and execution of Supplemental Amendment #1 to the Professional Services Agreement between the City of Austin and MAC HOLDER III, AIA, Austin, Texas, to provide architectural services on various energy conservation projects, transferring the rights and responsibilities of the Agreement from L.M. HOLDER III, AIA, to KING-HOLDER & ASSOCIATES, Austin, Texas. (No fiscal impact.) M/WBE subcontracting opportunities cannot be determined at this time because projects have not yet been identified.

**Approved**

49. Approve execution of a twelve (12) month contract agreement with TAB PRODUCTS/ACRATOD OF AUSTIN, Austin, Texas, for the purchase of case and record management file folders for the Austin Municipal Court, in an amount not to exceed \$87,891 with two (2) twelve (12) month extension options in an amount not to exceed \$87,891 per extension, for a total amount not to exceed \$263,673. (Funding is available in the 1995-96 operating budget of the Municipal Court. Funding for the extension options is contingent upon available funding in future budgets.) Low bid of two (2). No M/WBE Subcontracting opportunities were identified.

**Approved**

50. Authorize filing of eminent domain proceedings to acquire a wastewater easement containing 0.0875 of one acre of land out of the W.B. Harrison Survey and being a part of Lot 5, Block 4 out of River Oak Lakes Estates, Section 3, a subdivision in Travis County, Texas, owned by Jane W. Velicak also known as Jane W. Tidwell for the River Oaks and Tanglewild Service to Annexed Area Project. (Appraised value is \$1,000.)

**Approved**

**Items 15 through 50 approved on Mayor Pro Tem Garcia's motion, Councilmember Shea's second 7-0 vote.**

51. Endorse the "Affordability Strategy." (Related to Item 11)

**Approved on Mayor Pro Tem Garcia's motion, Councilmember Shea's second, 7-0 vote.**



52. Approve amendments to the City of Austin's Investment Policy. (No fiscal impact.) [Recommended by Audit and Finance Committee]  
**Approved on, Mayor Pro Tem Garcia's motion, Councilmember Shea's second, 7-0 vote.**
53. Set a public hearing to grant a charter bus franchise to Admiral Coach Lines, Inc. and to set a proposed rate of fare. (Suggested date and time: November 30, 1995 at 5:30 P.M.)  
**Pulled pending reconsideration by Urban Transportation Commission**

#### ITEMS FROM COUNCIL

54. Set a public hearing to authorize negotiation and execution of a contract with the Austin Revitalization Authority (ARA) to carry out the activities identified in the City's "East 11th and 12th Street Redevelopment Program" funded through the U.S. Department of Housing and Urban Development's Section 108 loan guarantee program. (Suggested date and time: November 16, 1995 at 6:30 P.M.) [Councilmember Eric Mitchell]  
**Approved on, Councilmember Mitchell's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Mayor Todd off the dais.**
55. Set a public hearing to consider amending the Land Development Code to create a new zoning district, the Central Urban Redevelopment District, (CURE) for the downtown area. The purpose of the new zoning district is to provide incentives and flexibility for development and redevelopment within the downtown area. (Suggested date and time: November 30, 1995 at 5:00 P.M.) [Councilmember Eric Mitchell]  
**Postponed to December 7, 1995 at 5:00 p.m. on, Mayor Pro Tem Garcia's motion, Councilmember Shea's second, 7-0 vote.**
56. Direct the City Manager to make a limited revision to the Hornsby Bend Sludge Management Facility Improvements Plan in order to optimize wetlands habitat at Hornsby Bend Biosolids Management Facility. (Mayor Pro Tem Gus Garcia and Councilmember Michael "Max" Nofziger)  
**Pulled off agenda**
57. Approve a resolution urging Congress and the Federal Communications Commission (FCC) to avoid pre-empting city zoning and other local authority. (Mayor Pro Tem Gus Garcia)  
**Approved on, Mayor Pro Tem Garcia's motion, Councilmember Shea's second 7-0 vote.**

#### 4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

58. C14R-83-132(DE) - TEXACO SITE PLAN DELETION, by Consort, Inc. (Ben Turner), 6200-6500 South IH 35 SB. Existing zoning: GR. Request for deletion of a previously approved Principal Roadway Area Site Plan. Planning Commission Recommendation: Approved request for site plan deletion.  
**Ordinance No. 951102-S approved**
59. C14H-95-0004 (Dozier-Beal House) - FRANCES BEAL, by Tim Dresch, 1503 West Avenue. From SF-3 to SF-3-H. Planning Commission Recommendation: To Grant SF-3-H, Family Residence-Historic, zoning based on designation criteria items (1), (4), (6), (8), (9), (11), (12) and

(13).

**Ordinance No. 951102-T approved**

60. C14H-95-0006 (STONE TOWER) - ANGELA TOPFER, by Peter Flagg Maxson, 1415 Wooldridge. From SF-2 to SF-2-H. Planning Commission Recommendation: To Grant SF-2-H, Single Family Residence (standard lot)-Historic, zoning based on designation criteria items (1), (4), (9), (11), (12) and (13).

**Ordinance No. 951102-U approved**

61. C14-95-0093 - STANDARD PACIFIC OF TEXAS, INC. (Michael W. Brady), by Huffcut & Associates (Gina Diehl), West Parmer Lane and Neenah Avenue. From SF-2 & SF-2-CO to IP. Planning Commission Recommendation: To Grant LO, Limited Office for the first 100 feet west of Parmer Lane West, and IP-PDA, Industrial Park-Planned Development Area for the remainder of the tract. The IP-PDA portion of the tract shall be subject to the following site development restrictions: (a) maximum height 45 feet; (b) maximum building setbacks - front yard 100 feet, street side yard 100 feet, interior and rear yard setbacks will be based on the adjoining zoning districts, maximum building cover 40%, maximum impervious cover 65%, maximum floor to area ratio 0.50. The following uses shall be prohibited: Agricultural Sales and Services, Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Sales and Services, Construction Sales and Services, Convenience Storage, Extermination Services, General Warehousing and Distribution, Food Sales, Medical Office, and Railroad Facilities. The property will also be subject to the PDA Performance Standards as set forth in Section 13-2-269 of the Land Development Code.

**Approve first reading only**

62. C14-95-0106 - JUBILEE CHRISTIAN CENTER (Jimmy Seal), 2903, 2909, 2915, 3005 & 3011 West William Cannon Drive. From SF-2 to LO. Planning Commission Recommendation: To Grant LO-CO, Limited Office-Conditional Overlay, zoning subject to limiting development to an intensity that will generate less than 2,000 vehicle trips per day.

**Approve first reading only**

63. C14-95-0107 - JUBILEE CHRISTIAN CENTER (Jimmy R. Seal), 3103, 3109, 3113 & 3203 West William Cannon Drive. From SF-2 to LO & GR-CO. Planning Commission Recommendation: To Grant LO-CO, Limited Office-Conditional Overlay, zoning subject to the following: (1) limit development to an intensity that will generate less than 2,000 vehicle trips per day; and (2) prohibit access to Stage Coach Trail.

**Approve first reading only**

64. C14-95-0110 - ROBERT K. BAYLESS, 8710 Chisholm Lane. From DR to SF-2. Planning Commission Recommendation: To Grant SF-2, Single Family Residence (standard lot), zoning as requested.

**Ordinance No. 951102-V approved**

65. C14-95-0115 - CITY OF AUSTIN LIBRARY DEPARTMENT (John W. Gillum), by C.O.A.-Public Works & Transportation (Cynthia D. Jordan), 5803-5807 Nuckols Crossing Road. From SF-3 to P. Planning Commission Recommendation: To Grant P, Public District, zoning as requested.

**Ordinance No. 951102-W approved**

66. C14-95-0116 - SOUTH AUSTIN MARKET PLACE (Rosemary Follis), 2023-2119 E. Ben White Boulevard & 2060-2090 Woodward Street. From SF-2 to CS. Planning Commission Recommendation: To Grant CS-CO, Commercial Services-Conditional Overlay, zoning subject to limiting development to an intensity that will generate less than 2,000 vehicle trips per day, and the reservation of 200' of right of way from the future centerline of E. Ben White Boulevard/SH 71.  
**Approve first reading only**
67. C14-95-0119 - TEXAS TRIAL LAWYERS (Tommy Townsend), by Graves, Dougherty, Hearon & Moody (David Herndon), 1220 Colorado. From CS to CBD. Planning Commission Recommendation: To Grant CBD-CO, Central Business District-Conditional Overlay, with the provision of the overlay to limit development to less than 2,000 vehicle trips day.  
**Ordinance No. 951102-X approved**
68. C14R-85-0223(DE) - NORWOOD PARK LOT 3, by Bury & Pittman (James Knight), Norwood Park Boulevard and Clock Tower Drive. Existing zoning: CH. Request for deletion of a previously approved Principal Roadway Area (PRA) Site Plan. Planning Commission Recommendation: To Approve deletion of a portion of the PRA site plan and the conditional overlay. The provisions of the overlay are as follows: (1) limit height to 60 feet; (2) limit floor to area ratio to 1:1; (3) limit building coverage to 75%; (4) prohibit the following uses - Agricultural Sales and Service, Arts and Craft Studio (general, industrial), Building Maintenance Services, Campground, Cocktail Lounge, Commercial Blood Plasma Center, Construction Sales and Services, Convenience Storage, Equipment Repair Services, Equipment Sales, Kennels, Laundry Services, Liquor Sales, Vehicle Storage, Veterinary Services, Custom Manufacturing, Limited Warehousing and Distribution, Maintenance and Service Facilities, and Transportation Terminal; (5) preserve the Clock Tower and associates amenities; and (6) provide pedestrian access from Lots 3, 6, and 8 to Lot 7.  
**Ordinance No. 951102-Y approved**
69. C14-95-0112 - I-35 DESSAU ROAD JOINT VENTURE (Len Layne), by John F. Hickman & Associates (John Warden), 1108-1124 & 1200-1218 West Dessau Road. From Tract 1: GR-CO and Tract 2: CS-CO to Tract 1: GR and Tract 2: CS. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, for Tract 1, and CS-CO, Commercial Services-Conditional Overlay, for Tract 2, with the provisions of the overlay as follows: (1) development should be limited to that which would generate less than 2,000 vehicle trips per day; (2) development of the property, or any portion if the property as Food Sales use shall not exceed a maximum of 2,400 square feet of gross floor area; (3) development of the property shall be restricted to a maximum floor to area ratio of 0.10 to 1; and (4) prohibit the following uses - Restaurant (general, limited, drive-in, & fast food), Administrative and Business Offices, Medical Office, Professional Office, Adult Oriented Business, and Automotive Sales.  
**Ordinance No. 951102-Z approved**

**Items 58 through 69 approved on Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Reynolds off the dais.**

70. C14-95-0101 - NATIONS BANK OF TEXAS (Gonzalo Gonzales), by Crocker Consulting (Sarah Crocker), 68 to 74 East Avenue. From SF-3 to GR. Planning Commission Recommendation: Forward to Council with no recommendation. A petition of 23.96% has been filed in opposition to this request that will require an an affirmative vote of six out of seven councilmembers to approve the

applicant's request.

Postponed to December 14, 1995, second request for postponement by applicant, approved on, Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 5-0-1 vote, Councilmember Shea abstaining, Councilmember Reynolds off the dais.

#### PUBLIC HEARING AND APPROVAL OF ORDINANCES/RESOLUTIONS

71. 4:30 P.M. - Public hearing and approval of a 1.35 acres (2,350 feet long) permanent land use agreement, and a 0.51 acre temporary construction use agreement to allow the construction of a 12 inch diameter gravity wastewater main through dedicated parkland known as Dick Nichols Park in accordance with Section 26.001 of the Texas Parks and Wildlife Code.

**Motion to close hearing on, Councilmember Shea's motion, Mayor Pro Tem Garcia's second, 4-0 vote, Councilmembers Mitchell, Nofziger and Reynolds off the dais.**

**Motion to approve on Councilmember Shea, Mayor Pro Tem Garcia's second, 4-0 vote, Councilmembers Mitchell, Nofziger and Reynolds off the dais.**

72. 5:00 P.M. - Public hearing and approval of a 24,648 square foot (0.566 acre) permanent drainage easement agreement to allow the construction of a water quality pond in dedicated parkland known as Gillis Park in accordance with Section 26.001 seq. of the Texas Parks and Wildlife Code.

**Motion to close hearing on, Councilmember Shea's motion, Mayor Pro Tem Garcia's second, 4-0 vote, Councilmembers Mitchell, Nofziger and Reynolds off the dais.**

**Motion to approve on Councilmember Shea, Mayor Pro Tem Garcia's second, 4-0 vote, Councilmembers Mitchell, Nofziger and Reynolds off the dais.**

73. 5:30 P.M. - Public hearing and approval of an amendment to Chapter 13-8, Article IV of the Austin City Code (Electrical Code) by replacing two provisions dealing with branch circuits and minimum size conductors.

**Ordinance No. 951102-AA approved on, Mayor Pro Tem Garcia's motion, Councilmember Nofziger's second 5-0 vote, Councilmember Reynolds off the dais, Councilmember Mitchell absent.**

74. 6:30 P.M. - Public hearing on full purpose annexation of the Mount Bonnell area.

**Motion to close hearing on, Councilmember Nofziger, Mayor Pro Tem Garcia's second, 5-0 vote, Councilmembers Mitchell and Reynolds off the dais.**

#### EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held on the morning of this date.

Executive session held at 4:15 p.m. to 5:00 p.m. on items 75, 76 and 77.

Executive session held at 5:05 p.m. to 6:35 p.m. on items 75, 76 and 77.

The City Council will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters as specifically listed on this agenda. The City Council may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

#### Staff Briefing - Section 551.075

- 75. Staff briefing on implementation of SB 863. (City Council deliberation is not permitted under Section 551.075)
- 76. Discuss negotiations and possible real estate transactions related to the use and lease agreement with the airlines for Austin Bergstrom International Airport. (City Council deliberation is not permitted under Section 551.075)

#### Pending/Contemplated Litigation - Section 551.071

- 77. Discuss Monaghan et al v. Maple Run at Austin MUD and City of Austin, 53rd District Court, Travis County, CA 95-06139.

#### ACTION ON THE FOLLOWING

- 78. Authorize negotiation and execution of a professional services agreement with the Law Offices of Karl Bayer, as outside counsel to represent the City in Monaghan et al v. Maple Run at Austin MUD and City of Austin, 53rd District Court, Travis County, CA 95-06139, in the amount up to \$50,000. (Funding is available in the 1995-96 operating budget of the Water and Wastewater Utility.)  
**Approved on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 4-0 vote, Councilmembers Mitchell, Nofziger and Reynolds off the dais.**

#### 79. APPOINTMENTS

CAPCO - CRIMINAL JUSTICE COMMITTEE - CAPTAIN JUAN GONZALES

CAPCO - REGIONAL ECONOMIC COMMITTEE - DIANA SOLIZ

TRAVIS CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS - IRMA ANDERSON,  
ELEANOR POWELL, BETTY WHITE

Brackenridge Hospital Oversight Council postponed for two weeks.

ADDENDUM

contd.

79. APPOINTMENTS

ROBERT MUELLER MUNICIPAL AIRPORT REDEVELOPMENT PROCESS AND GOALS TASK FORCE - STACY DUKES-RHONE

Approved on, Mayor Pro Tem Garcia's motion, Councilmember Shea's second, 7-0 vote.

ITEMS FROM COUNCIL

80. Approve a Resolution amending the Robert Mueller Municipal Airport Redevelopment Process and Goals Task Force, by increasing the number of members from (15) fifteen to (16) sixteen, to include a representative of the Capital Metro Board. (Councilmember Jackie Goodman and Councilmember Michael "Max" Nofziger).

**Approved**

81. Direct the City Manager to ensure that preliminary engineering work and public hearings on the Lamar Bridge project include an option that adds pedestrian and bicycle facilities, but no new traffic lanes. (Councilmembers Michael "Max" Nofziger and Jackie Goodman)

**Approved**

Items 79 through 81 approved on, Mayor Pro Tem Garcia's motion, Councilmember Shea's second, 7-0 vote.

ADJOURNED at 7:00 p.m. on, Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 6-0 vote, Councilmember Nofziger off the dais.

Approved on this the 16<sup>th</sup> day of November, 1995, on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 5-0 vote, Councilmembers Shea and Nofziger temporarily absent.