



Austin City Council MINUTES

JULY 11, 1996

Mayor Todd called the meeting to order.

1. Approval of Minutes for Work Session of June 26, 1996, Regular Meeting of June 27, 1996, Regular Meeting of June 13, 1996, and Special Called Meeting of June 15, 1996.
Approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

CITIZEN COMMUNICATIONS: GENERAL

2. Mr. Mike Workman, to discuss election irregularities and election fraud.
Absent
3. Mr. E.L. Ramsey, to discuss the electric utility department.
Absent
4. Mr. Gus Pena, to discuss city issues.
5. Mr. Jimmy Castro, to discuss City of Austin budget.
6. Mr. Gerald Daugherty, to discuss Capital Metro Board appointments.
7. Mr. Frank Bolanger, to discuss solid waste.
8. Mr. Richard Troxell, to discuss homeless issues.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

ORDINANCES

9. Approve third reading of an ordinance extending the term of the current franchise with Time Warner Entertainment Company L.P. (dba Austin Cablevision) to provide cable services until August 12, 1996. (\$650,000 Franchise Fee Revenue)
Ordinance No. 960711-A approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 6-0-1 vote, Councilmember Slusher abstaining.
10. Approve third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 10603 FM 2222, Case No. C14-95-0193, from "I-SF-2", Interim Single Family Residence (standard lot) to "GR", Community Commercial

zoning, for Tracts 1 and 2; "GO", General Office, zoning for Tract 3; and "MF-2-CO", Multifamily Residence (low density)-Conditional Overlay for Tract 4, and compliance with the Traffic Impact Analysis memo with the provisions of the overlay as follows: (1) limit the density to 14 units per acre on the multifamily tract; (2) prohibit access to Riverplace Boulevard (unless approved by the Riverplace Homeowners Association and a traffic signal at F.M. 2222 and Business Park Drive is not installed and (3) that all structures, which are office and retail uses, beyond the 1,000 feet outside the Hill Country Roadway ordinance be limited to 40 feet in height; DON ENGELING, by Urban Design Group (Laura T. Berland). First reading on June 13, 1996; Vote 5-0, Shea and Nofziger off the dais. Second reading on June 27, 1996; Vote 5-1-1, Slusher nay, Reynolds abstained. Conditions met as follows: Conditional overlay and restrictive covenant incorporates conditions imposed by Council.

Postponed one month to August 8, 1996

11. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 808 East 51st Street, Case No. C14-96-0081, from "CS-CO", Commercial Services-Conditional Overlay to "CS-CO", zoning subject to: (1) prohibiting access to East 51st Street; (2) prohibiting a Restaurant (drive-in, fast food) use that utilizes a Drive-In Service (vehicle drive through lane); and (3) limiting development to generate less than 300 vehicle trips per day; C.O.A.-DEVELOPMENT REVIEW AND INSPECTION DEPARTMENT. First reading on June 27, 1996; Vote 7-0. Conditions met as follows: conditional overlay incorporates conditions as imposed by Council.
Ordinance No. 960711-B approved

12. Approve annexation of 34.0302 acre tract known as Davenport West Section Two, The Point at Rob Roy, owned by Davenport West, Ltd., into Travis County Water Control and Improvement District. (Annual revenue from existing customers estimated to be \$2,650)(Recommended by the Water & Wastewater Commission)
Ordinance No. 960711-C approved

Items 10 through 12 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

13. Approve an ordinance to amend Title VIII, Chapter 8-14, Article VI, Towing Regulations, of the Austin City Code of 1992, as amended, in accordance with new federal legislation.
Ordinance No. 960711-D approved

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

Motion to reconsider on, Councilmember Goodman's motion, Councilmember Slusher's second.

Councilmember Goodman withdrew motion.

Motion fails.

14. Approve an ordinance to establish the maximum fees which may be charged by towing business permit holders for nonconsent tows and repealing ordinance No. 941215-I and any previous towing fees which may be charged by towing business holders.

Ordinance No. 960711-E approved

15. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4 (D) Speed Limits, for the installation of a 20 mph reduced speed school zone on Buffalo Pass for the protection of students attending Cunningham Elementary. (Funding in the amount of \$600 for the installation of signs and markings is available in the 1995-96 Child Safety Fund for the Department of Public Works and Transportation)

Ordinance No. 960711-F approved

16. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-4 (D) Speed Limits, for the installation of a 20 mph reduced speed school zone on Gardner Road for the protection of students attending Johnston High School. (Funding in the amount of \$600 is available in the 1995-96 Child Safety Fund for the Department of Public Works & Transportation)

Ordinance No. 960711-G approved

17. Amend the Austin City Code by modifying the Basic Traffic Ordinance, Section 16-4-5(D) and (E) Speed Limits to establish the speed limits on Southwest Parkway between Loop 1 (MoPac Expressway) West Frontage Road and Boston Lane at 50 mph and from Boston Lane to the City Limits at 55 mph. (\$6000 for the installation of signs is available in the 1995-96 Operating budget for the Department of Public Works and Transportation).

Ordinance No. 960711-H approved

Items 14 through 17 approved on Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

18. Approve street name change of the entire length of Family Land Drive to Real Catorce. (Processing fee of \$110 paid by the requester.)

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

Motion to reconsider on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second 7-0 vote.

Motion to keep street name "Real Catorce" on, Councilmember Griffith's motion, Councilmember Goodman's second.

Councilmember Goodman withdrew second.

Motion to postpone for one week to July 18, 1996 on, Councilmember Goodman's motion, Councilmember Slusher's second, 7-0 vote.

19. Amend ordinance 950911-A, the 1995-96 operating budget of the Public Works and Transportation Department Child Safety Fund, by increasing the beginning balance by \$200,147 to reflect audit adjustment increasing appropriations by \$190,000 and increasing the ending balance by \$10,147 to fund construction of sidewalks near Pecan Springs and Jordan Elementary Schools. (\$190,000 is available in the Child Safety Fund.)

Ordinance No. 960711-I approved

20. Authorize acceptance of an additional \$4,809 in grant funds from the Mental Health Association in Texas for the Americorps Parenting Education Program, amend ordinance no. 950911-D, the 1995-96 operating budget, amending the Special Revenue Fund by appropriating \$4,809 in grant funds for the Health & Human Services Department special revenue fund, for a total grant amount of \$13,893. (Funding is available from the Mental Health Association in Texas)
Ordinance No. 960711-J approved
21. Authorize acceptance of \$9,995 in grant funds from the U.S. Department of Veterans' Affairs for participation in the Service Members Occupational Conversion Training; amend ordinance No. 950911-A, the 1995-96 Operating budget, amending the Special revenue Fund by appropriating \$9,995 for the Health and Human Services special revenue fund. (Funding is available from the U.S. Department of Veterans' Affairs)
Ordinance No. 960711-K approved
22. Authorize acceptance of an additional \$26,899 in grant funds from the U.S. Department of Health and Human Services for the Ryan White Title I Supplemental grant; amend ordinance no. 950911-A, the 1995-96 Operating budget, amending the Special Revenue Fund by appropriating an additional \$26,899 in grant funds for the Health and Human Services Department special revenue fund, for a total grant amount of \$1,065,510. (Funding is available from the U.S. Department of Health and Human Services.)
Ordinance No. 960711-L approved
23. Authorize acceptance of an additional \$237,256 in grant funds form the U.S. Department of Health and Human Services for Ryan White Title 1 Formula grant; amend ordinance No. 950911-D, the 1995-96 Operating budget, amending the Special Revenue Fund by appropriating an additional \$237,256 in grant funds for the Health and Human Services Department special revenue fund, for a total grant amount of \$1,322,919. (Funding is available from the U.S. Department of Health and Human Services)
Ordinance No. 960711-M approved

RESOLUTIONS

24. Approve amendment number three to the Interlocal Agreement with Travis County for fees to be charged for public animal shelters.
Approved
25. Approve amendment number eight to the Health Authority Interlocal with Travis County authorizing limited access to automated City and County financial and purchasing systems.
Approved
26. Authorize Interlocal agreement with Travis County Emergency Services District No. 6 for the provision of First Responder Fire and EMS Services to the Lake Austin areas adjacent to their territory for a term of two years with 2 year extension options. (Funding in the amount of \$1 is available in the 1995-96 Operating budget of the Fire Department)
Approved
27. Approve an Interlocal agreement with the University of Texas, School of Social Work, for

operation of a field internship program to provide case management and parenting support to families at high risk for abuse or neglect, in the amount of \$41,995 for the period 9/1/96 through 5/31/97 with annual renewals. (Funding is included in the 1995-96 Special Revenue Fund for the Health and Human Services Department, Title IV-A At Risk Child Care grant program.)

Approved

28. Approve ratification of a contract with HART FORMS & SERVICES, Austin, Texas, for the purchase of ballots for the May 4, 1996 election in the amount of \$49,537.60. (Funding is available in the 1995-96 Operating budget of the City Clerk's office. \$23,198.11 will be reimbursed by Austin Community College and \$6,475.03 will be reimbursed by the Austin Independent School District.)

Approved

Items 19 through 28 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

AVIATION (Items 29-31)

29. Approve a contract with MORGANTI NATIONAL, Houston, Texas, for construction of the Passenger Terminal Facility Project at Austin-Bergstrom International Airport, in the amount of \$9,1665,223, including all alternate items, plus a contingency fund of \$6,416,565. (Funding was included in the 1995-96 Capital budget for Aviation) Low responsive bid of four. Phase I DBE participation 13.4%: Subcontractor participation 13.4% MBE, 0% WBE.

Postponed to July 18, 1996

30. Approve the execution of a contraction contract to LIGHTHOUSE INTERNATIONAL, Inc.,(MBE/MB) Austin, Texas for Remediation and Demolition Project No. 5B-1 for the Austin-Bergstrom International Airport (ABIA), in the amount of \$930,145.35, plus a contingency fund \$93,013.65. (Funding was included in the 1995-96 Capital budget for Aviation) Low responsive bid of two. DBE Participation 100%: Subcontractor participation MBE 2.94%, WBE .96%.

Approved

31. Approve execution of a contract with SOUTHWEST CONSTRUCTORS,INC., Austin, Texas for Remediation and Demolition Project No. 5B-2 for the Austin Bergstrom International Airport (ABIA), in an amount not to exceed \$288,942, plus a contingency fund of \$28,894. (Funding was included in the 1995-96 Capital budget for Aviation) Low responsive bid of two. DBE Participation 32.13%: Subcontractor participation MBE 23,76%, WBE 8.37%.

Approved

Items 30 and 31 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's Ssecond, 7-0 vote.

32. Approve a construction contract with MEB ENGINEERING (MBE/MA), Houston, Texas for of a 16-inch water line at MoPac and Bartons Bluff Lane in the amount of \$158,197. (Funding was included in the 1995-96 Capital budget of the Water & Wastewater Department) Low bid of six. Prime Participation 67.5% MBE. Subcontractor participation: 24% MBE, 8.5% WBE.

(Recommended by the Water & Wastewater Commission)
Postponed to July 18, 1996

33. Approve amended service extension request number 1452 from Advanced Micro Devices and authorize \$1,798,292 increase in the reimbursement to Advanced Micro Devices from \$1,101,708 to \$2,900,000 for construction of 24-inch and 30-inch wastewater lines to provide services to Advanced Micro Devices and the Upper Country Club drainage basin. (Funding was appropriated in 1993 from Service Extension Cost participation Transfers from the Water & Wastewater Utility's Operating Fund.) (Recommended by the Water & Wastewater Commission)
Motion to approve on, Councilmember Goodman's motion, Mayor Pro Tem Garcia's second, 5-0-1 vote, Councilmember Slusher abstaining, Councilmember Reynolds off the dais.
34. Approve change order #3 to the contract with CCC GROUP, San Antonio, Texas for additional bid quantities of excavation, hauling and soil to complete the remediation of the Springdale Park site, in the amount of \$16,727 for a total contract not to exceed \$259,031.77. (Funding is included in the 1995-96 Capital budget of the Solid Waste Services Department) Subcontractor participation: MBE 33.6%, WBE 5.6%.
Approved
35. Approve change order #3 to the contract with AUSTIN FILTER SYSTEMS, INC, Austin, TEXAS for additional quantities of 24" PVC wastewater line, as part of the Tannehill Branch Drainage, Wastewater, and Park improvements phase 1B (Bartholomew Park). (Funding was included in the 1991-92 Capital budget of the Water & Wastewater Utility in the amount of \$9,406.60 for a total contract amount of \$1,029,579.60) No subcontracting opportunities identified. (Recommended by the Water & Wastewater Commission)
Approved
36. Approve a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, Texas for the TANNEHILL Branch Phase 1A Channel and Headwall Improvements Project, in an amount not to exceed \$408,162.35 (Funding was included in the 1995-96 Capital budget of the Drainage Utility.) Low bid of seven. Subcontractor participation: MBE 23.8%, WBE 19.7%.
Approved

Items 34 through 36 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's second, 7-0 vote.

37. Approve negotiation and execution of a professional services agreement with HDR ENGINEERING, INC., Austin, Texas for preliminary engineering services for the South Austin Regional Wastewater Treatment Plant Expansion and Improvements in an amount not to exceed \$1,500,000. (Funding was included in the 1995-96 Capital budget of the Water & Wastewater Utility). Subconsultant participation: MBE 8.6%, 18.2% WBE. (Recommended by the Water & Wastewater Commission) Although the Water & Wastewater Commission did not have a quorum in attendance, the Commissioners present approved a motion to send a dual recommendation to the City Council to make the decision to negotiate and execute a professional services agreement for Phase 1 (preliminary) engineering services with either HDR Engineering, Inc., and/or Turner, Collie, & Braden, Inc.
Motion to award contract to Turner, Collie and Braden, Inc. on, Councilmember Reynolds' motion,

Mayor Pro Tem Garcia's second, 5-2 vote, Councilmembers Mitchell and Slusher voting "NO".

38. Approve execution of 12 month service agreement to provide flat sheet printing services with each of the following: GINNY'S COPYING SERVICE (WBE/FR) Austin, Texas; A-1 QUALITY BLUEPRINT AND FAST COPY (MBE/MH) Austin, Texas; GILBERT BUSINESS FORMS (MBE/MH) Austin, Texas; KWIK KOPY PRINTING (MBE/MH) Austin, Texas; AUSTIN LEGAL COPIES, Austin, Texas; NIGHTRIDER COPY SERVICE, Austin Texas for a total amount not to exceed \$175,000 with two 12 month extension options in an amount not to exceed \$175,000 per extension for a total contract not to exceed \$525,000. (Funding in the amount of \$29,166.67 is included in the operating budget for all departments. Funding for the remainder of the contract and the extension options is contingent upon available funding in future budgets.)
Approved
39. Authorize negotiation and execution of a contract amendment for HIV services with AIDS SERVICES OF AUSTIN, Austin, Texas, in the amount of \$514,344 for a total contract not to exceed \$685,792. (Funding is available in the 1995-96 Special Revenue fund for the Health and Human Service Department. \$371,000 is available in the Ryan White I Formula grant and \$143,344 is available in the Ryan White I Supplemental grant) (Recommended by HIV Planning Council)
Approved
40. Approve a Neighborhood Commercial Management Program (NCMP) loan to Micro-Media Solutions, Inc, in an amount not to exceed \$250,000 for the purchase of media equipment in order to provide a repair service depot for major corporations (Funding is available in the 1995-96 Special Revenue Fund of the Neighborhood Housing & Conservation Office)
Approved
41. Authorize payment of relocation benefits for Jacob & Carmen Castillo who are being relocated due to the Austin-Bergstrom International Airport project, in the amount of \$50,000.(Funding was included in the 1995-96 Capital budget for Aviation.)
Approved
42. Set a public hearing to hear the appeal of the planning commission decision to approve conditional use permit site plan for a cocktail lounge limiting the hours of operation to no later than 10:00 P.M.; the proposed site for the lounge is 914 North Lamar Boulevard. (Suggested date & time: July 18, 1996 at 5:00 P.M.)
Approved

ITEMS FROM COUNCIL

43. Set a public hearing to receive comments on maintaining energy conservation spending for 1996-97 at 1995-96 levels. (Suggested date & time: July 25, 1996 at 6:00 PM) (Councilmember Jackie Goodman)
Approved

Items 38 through 43 approved on, Mayor Pro Tem Garcia's motion, Councilmember Goodman's Second, 7-0 vote.

44. Approve a resolution requesting the Capital Metro Board of Directors to join with the City of Austin in requesting legislation authorizing the rededication of 1/4 cent, or some portion, of Capital Metro's 1 cent sales tax for the purpose of funding public safety. (Councilmember Eric Mitchell and Councilmember Ronney Reynolds)
Motion to approve on, Councilmember Reynolds' motion, Councilmember Mitchell's second.

Substitute motion by Mayor Pro Tem Garcia, Councilmember Slusher's second, 5-2 vote, Councilmembers Goodman and Mitchell voting "NO".

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

45. C14-94-0168 (part 2) - PARMER RIDGE LTD. (John Lloyd), by Espey, Huston & Associates (Danny R. Martin), Josh Ridge Blvd. and Harrisglenn Dr. From I-RR (Tract 2A & Tract 2B) to MF-2-CO (Tract 2A) & LR-CO (Tract 2B). Planning Commission Recommendation: To Grant SF-2-CO, Single Family Residence (standard lot)-Conditional Overlay for the portion of Tract 2A from the southern line of the greenbelt/drainage area to a line 270 feet south from southern edge of greenbelt; MF-2-CO, Multifamily Residence (low density)-Conditional Overlay for the remaining portions of Tract 2A and a portion of Tract 2B to the extent the acreage will support a maximum of 320 multifamily units; and LR-CO, Neighborhood Commercial-Conditional Overlay zoning for the remainder of Tract 2B. The provisions of the overlay are as follows: (1) multifamily development shall not exceed 320 units total; (2) no development shall occur until extension of Parmer Lane east of IH 35 to East Dessau Road is completed; and (3) subject to the limits and intensities of development outlined in the Traffic Impact Analysis (T.I.A.) Memorandum dated February 15, 1995. In addition, a restrictive covenant requiring the following: (1) fiscal arrangements for 100 percent of cost of installation of a signal at the intersection of Parmer Lane and Harrisglenn Drive prior to third reading; (2) fiscal arrangements with the Texas Department of Transportation (TXDOT) for 46 percent of the cost of installation of a westbound signal head at the intersection of Parmer Lane and IH 35 if required by TXDOT; and (3) prohibit construction until access to Parmer Lane is available.
(continued from 6/6/96 & 6/27/96)
Motion to approved on, Councilmember Griffith's motion.

Motion fails due to no second.

Motion to approve as recommended first reading only, MF-2-CO zoning for Tract 2B subject to a maximum of 320 units; SF-2 zoning for Tract 2A; and refer tract #4 with additional SF-2 from Tract 3 back to Planning Commission for LR rezoning; provide dual notice for Planning Commission & City Council and sending entire case for all three readings on, Councilmember Goodman's motion, Councilmember Griffith's second, 7-0 vote.

46. C14-96-0052 - W.W. DEERFIELD C/O WALTERS SOUTHWEST (Bill Walters), by Bury & Pittman/Land Strategies (James B. Knight/Paul Linehan), 8700 Block of Brodie Lane. From SF-2 to MF-2. Planning Commission Recommendation: (to be heard by PC on 6-25-96). (continued

from 6/6/96 & 6/27/96)

Motion to close hearing on, Mayor Pro Tem Garcia's motion, Councilmember Mitchell's second, 7-0 vote.

Motion to approve Planning Commission recommendation on, Councilmember Mitchell's motion, Councilmember Reynolds' second.

No vote taken.

Motion to postpone one week to July 18, 1996 on, Councilmember Slusher's motion, Councilmember Goodman's second, 4-3 vote, Mayor Todd, Councilmembers Mitchell and Reynolds voting "NO".

47. C14-95-0145 - T.S.-S.D. II, A TEXAS LTD. PARTNERSHIP (Phillip H. Annis), by Urban Design Associates (Robin Abrahms), Approximately 500 feet North of the intersection of Pecan Park Blvd. and Lakestop Blvd. From P to GR. Planning Commission Recommendation: To Grant GR, Community Commercial, zoning subject to a restrictive covenant providing for a transit facility. (continued from 6/27/96)

Approve first reading only

48. C14-95-0146 - T.S.-S.D. II, A TEXAS LTD. PARTNERSHIP (Phillip H. Annis), by Urban Design Associates (Robin Abrahms), Approximately 725 feet South of the intersection of Pecan Park Boulevard. and Lakeline Boulevard. From MF-3 to GR. Planning Commission Recommendation: To Grant GR, Community Commercial zoning subject to dedication of 75 feet of right-of-way and reservation of 200 feet of right-of-way from the existing centerline of U.S. Highway 183. (continued from 6/27/96)

Approve first reading only

Items 47 and 48 approved on, Mayor Pro Tem Garcia's motion, Councilmember Mitchell's second, 7-0 vote.

49. C14-95-0149 - PAR 620, LTD. (Phillip H. Annis), by Urban Design Associates (Robin Abrams), Ridgeline Boulevard and North F.M. 620. From MF-3 to GR (Tract 1) and LO (Tract 2). Planning Commission Recommendation: To grant GR-CO, Community Commercial-Conditional Overlay for Tract 1 and LO-CO Limited Office-Conditional Overlay for Tract 2. The conditions of the overlay are as follows:

1. a) Prohibit the following uses in Tract 1 and 2: Outdoor Sports and Recreation and Outdoor Entertainment,
- b) The following uses are prohibited within 300 feet from the Shenendoah, Section 5 Subdivision easternmost boundary: Automotive Repair Services, Automotive Washing (any type), Restaurants, Theater, Indoor Entertainment, Club or Lodge in Tracts 1 and 2. Prohibit any buildings within 100 feet from the easternmost property line of Shenedoah, Section 5 Subdivision.
- d) Limit the height of all buildings to a maximum of 30 feet beyond 100' feet from the easternmost property line of Shenedoah, Section 5 Subdivision to a depth of 200 feet westerly.
- e) Limit the height of all buildings to a maximum of 40 feet beyond 200 feet from the

- easternmost property line of Shenedoah, Section 5 Subdivision.
 - f) Require owner to construct and maintain a six foot privacy fence along the westernmost property line of Tract 2.
 - g) Limit the height of all buildings to a maximum of 40 ft. in Tract 1.
2. Prohibit any development on Tract 2 except for the construction and maintenance of a six foot privacy fence.
 3. Applicant has agreed to execute a private restrictive covenant with the Shenendoah Neighborhood Association on additional restrictions in connection with the development of the subject property. (continued from 6/27/96)

Approve first reading only on, Mayor Pro Tem Garcia's motion, Councilmember Mitchell's second, 6-1 vote, Councilmember Goodman voting "NO".

50. C8-95-0294.0A - SKYLINE ASSOCIATES (Jack Holford), by Holford Group (Theresa Boland), 11300-11418 North Lamar Blvd. RESTRICTIVE COVENANT TERMINATION. Planning Commission Recommendation: To Approve request to terminate the Restrictive Covenant associated with Lots 13 and 14 of the Frank Stark Subdivision and recorded in the Real Property Records of Travis County, Volume 12621, Pages 712-714.

Approved

51. C14-72-204 - BILL GRIEF/LARRY YOUNG (Bill Grief), by Bury & Pittman (Gregory S. Strmiska), East Riverside Drive. (Country Club). RESTRICTIVE COVENANT AMENDMENT. Planning Commission Recommendation:

(to be heard by PC 7/09) Planning Commission Recommendation: Approve Amendment.

Approved restrictive covenant amendment, for clarity purposes the amendment is to read "A total of 1,059 multi-family unites may be developed on Tracts A,B and C;" This language would allow for flexibility in density allocation among the three tract.

52. C14-96-0047 - BILL GRIEF/LARRY YOUNG (Bill Grief), by Bury & Pittman (Gregory S. Strmiska), East Riverside Drive. (Country Club). From SF-3 to MF-3. Planning Commission Recommendation: (to be heard by PC 7/09) Planning Commission Recommendation: To Grant MF-3, Multi-Family Residence, zoning as requested.

Approved Planning Commission recommendation, first reading only

53. C14-83-214 - J. HAMPTON SKELTON, by Matt Murphy, 5300-5306 Duval Street. RESTRICTIVE COVENANT TERMINATION. Planning Commission Recommendation: To Approve termination of the restrictive covenant.

Approved Planning Commission recommendation, first reading only

54. C14-96-0034 - SKELTON PROPERTIES (Matt Murphy), 5300-5306 Duval Street. From LO & SF-3 to MF-3. Planning Commission Recommendation: To Grant MF-3, Multifamily Residence (medium density), limited to no more than 10 units.

Ordinance No. 9960711-N approved Planning Commission recommendation

55. C14-95-0118 (Tract 1 & 2) - T. DAVID YOUNG, by Land Strategies, Inc. (Paul W. Linehan), East Stassney Lane and Wasson Road. From RR, SF-6, SF-3, MF-2 to IP, RR. Planning Commission Recommendation: (to be heard by PC 7/09) Planning Commission

Recommendation:

Postponed to August 8, 1996.

56. C14-95-0182 - MELLON PROPERTIES (Blake Magee), by Graves, Dougherty, Hearon & Moody (Ann E. Vanderberg), 2001 to 2105 Avenue N; 1601 to 2005 W. Howard Lane; and 13114 to 13618 Metric Boulevard. From LO, GO, GR & R&D to LI, GR & SF-6. Planning Commission Recommendation: to grant LI-CO, Limited Industrial Services-Conditional Overlay for Tract 1 (Planning Area 4, pt. of 5); GR, Community Commercial, for Tract 2 (pt. of Planning Area 5); and SF-6, Townhouse and Condominium Residence, for Tract 3 (Planning Areas 18, 19, pt. of 6 and 7), subject to the conditions listed in the Transportation Review Memorandum dated May 27, 1996. The Conditional Overlay for the LI-CO, Tract 1, imposes the following conditions: (1) Prohibit the following uses: Basic Industry, Exterminating Services, Drop-off Recycling Collection, Equipment Sales/Repair, Kennels, Monument Retail Sales, Recycling Center, Resource Extraction, Railroad Facilities, Scrap and Salvage, and Vehicle Storage; (2) The following additional uses shall be prohibited: a) Above ground fuel storage tanks of Class I (Gasoline) and Class II (Diesel), as defined in the Uniform Fire Code. b) Any activity involving the storage of and utilization of materials or products which decompose by detonation, as set forth in the Land Development Code, Section 13-2-269(b)(8). c) Food and material processing from animal or vegetable wastes or fats, slaughtering of animals, poultry or fish is prohibited.

Approved first reading only

57. C14-96-0061 - ALLANDALE PARTNERS (Steven Carlitz), by Amelia Lopez-Phelps Consulting (Amelia Lopez-Phelps), 7101 Burnet Road. From MF-3 & MF-4 to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay zoning subject to limiting development to generate less than 2,000 vehicle trips per day, and subject to the following conditions agreed upon between the Neighborhood and the Applicant: (1) maintain driveway access to Burnet Road for the existing condominium complex located to the east of the zoning tract; (2) provide a 25 foot undisturbed buffer along the southern property line, except for stormwater detention facilities; (3) compliance with compatibility standards for the entire site; (4) subject to LR, Neighborhood Commercial, site development standards; (5) prohibit Off-Site Parking for any use less restrictive than GR; (6) prohibit the following GR uses: Automotive Rentals, Automotive Sales, Automotive Repair Services, Automotive Washing (all), Kennels, Hotel-Motel, Adult Oriented Businesses, Indoor Entertainment, Indoor Sports and Recreation, Outdoor Entertainment, Outdoor Sports and Recreation, and Pawn Shop Services.

Applicant requests a two week postponement.

Items 50 through 57 approved on, Mayor Pro Tem Garcia's motion, Councilmember Mitchell's second, 7-0 vote.

58. C14-96-0062 - MELLON PROPERTIES (Blake Magee), by Key Group Engineering, Inc. (Keith Young, P.E.), E. Parmer Lane and Scofield Farms Dr. From LR to GR. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay, with the provision of the overlay to limit development to generate less than 2,000 vehicle trips per day.

Approved first reading only on, Mayor Pro Tem Garcia's motion, Councilmember Mitchell's second, 6-1 vote, Councilmember Goodman voting "NO".

59. C14-96-0076 - HARVEY & MILDRED SMITH, by Robert Hageman, 115 East St. Elmo Road.

From CS-CO to LI. Planning Commission Recommendation: To Grant LI-CO, Limited Industrial Services-Conditional Overlay, zoning with the provisions of the overlay as follows: (1) limit development to generate less than 2,000 vehicle trips per day; (2) prohibit Adult Oriented Businesses, Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Hotel-Motel, Pawn Shops, Scrap and Salvage, and Vehicle Storage; and (3) limit building height to 30 feet. (vote: 9-10)

Ordinance No. 960711-O approved

60. C14-96-0077 - WESTERN LIVESTOCK (Elizabeth Small), by Arthur Stone, 3400 S. Lamar Boulevard. From I-SF-2 to Tract A: GR; Tract B: NO; & Tract C: SF-6. Planning Commission Recommendation: To Grant GR-CO, Community Commercial-Conditional Overlay on Tract 1; NO-CO, Neighborhood Office-Conditional Overlay on Tract 2; and SF-6-CO, Townhouse and Condominium Residence-Conditional Overlay on Tract 3; subject to the dedication of 60' if right-of-way on South Lamar Blvd., and the prohibition of access from Tracts 1 & 2 to Westland Drive. The Conditional Overlay limits land uses and intensities to that which will generate less than 2,000 vehicle trips per day.

Approve first reading only subject to amendment prohibiting access for Tract 1 only; right-of-way will be acquired at subdivision stage stated at 2nd and 3rd readings.

61. C14R-84-202(DE) - BROCKTON OFFICE PARK (Industrial Properties Corp.), by Griffin Engineering (Greg Griffin), 2525 Kramer Lane. Request from LI to LI, and delete a previously approved Principle Roadway Area site plan. (TO BE HEARD BY PLANNING COMMISSION 07-16-96, RECOMMENDATION TO FOLLOW. This case will be postponed to a future date. Posting of this case on this agenda is required due to a previous advertisement for a public hearing on this date.)

Postpone to July 18, 1997

Items 60 and 61 approved on, Mayor Pro Tem Garcia's motion, Councilmember Mitchell's second, 7-0 vote.

PUBLIC HEARINGS

62. 4:30 P.M. - Conduct a public hearing on July 11, 1996 to receive citizen comments on the City's Draft Annual Consolidated Plan (ACP) and proposed uses of federal funds. The Draft ACP is an application and plan for four entitlement grants received from the U.S. Department of Housing and Urban Development (HUD). This hearing is required by the City's Citizen Participation Plan, federal regulations governing HUD grants, and Chapter 373 of the Texas Local Government Code.

Motion to close public hearing on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0 vote, Councilmember Reynolds off the dais.

63. 5:00 P.M. - Public hearing on proposed budget issues.

EXECUTIVE SESSION (No Public Discussion on These Items)

Executive session held on the morning of this date at 10:00 a.m. to 11:30 p.m.

Executive session held at 3:42 p.m. to 4:40 p.m.

Executive session held at 6:25 p.m. to 7:33 p.m.

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.

Advice of Counsel - Section 551.071

64. Discuss Melissa McGrath, et al. v. City of Austin, Texas, et al. Cause No. A-95-CV-220-SC, in the United States District Court, Western District of Texas, Austin division.
65. Discuss state laws affecting City policies for the extension of municipal services and annexations.

Staff Briefing- Section 551.075

66. Staff briefing on the evaluation of the bids for the Terminal Building Project at Austin-Bergstrom International Airport. (No City Council deliberation permitted under section 551.075.)

Real Estate - Section 551.072

67. Discuss the negotiations for the relocation of the Del Valle Schools.
68. Discuss fee simple acquisition of joint EMS/Fire station facility.
69. Discuss valuation and sale of City-owned railroad.

ACTION ON THE FOLLOWING

70. Approve settlement of Melissa McGrath, et al v. City of Austin, Texas, et al. Cause No. A-95-CV-220-SC, in the United States District Court, Western District of Texas, Austin division.

Postponed

71. APPOINTMENTS

BUILDING AND FIRE CODE BOARD OF APPEALS - JACK DRUMMOND, PHILIP HAUGHT.
BUILDING STANDARDS COMMISSION - DR. ETHLEYN BEEBE, DAVID BROWN, TIM HILL.
CENTRAL CITY ENTERTAINMENT CENTER - VERNON SIMMONS.
CITY OF AUSTIN COMMISSION FOR WOMEN - GLORIA CANTU.
ELECTRIC UTILITY COMMISSION - SHUDDE FATH, JAMES O'CONNELL.
ENVIRONMENTAL BOARD - GEORGE AVERY.

ETHICS REVIEW COMMISSION - DR. STERLING LANDS, MARK PERLMUTTER. MBE/WBE
ADVISORY COMMITTEE - CLIFTON KNEZEK.

MECHANICAL, PLUMBING & SOLAR BOARD - LARRY WERNER.

PLANNING COMMISSION - WALTER BROWN, JOSEPH MCCORMICK, SIDNEY SANDERS,
MARGARET ARMSTRONG.

RENAISSANCE MARKET - ROBERT EDGECOMB, VIRGINIA GARCIA, ROBERT HANSEN.

RESOURCE MANAGEMENT COMMISSION - AARON DEL POZO, MAX WOODFIN.

SOLICITATION BOARD - DOUGLASS NICHOLS.

SOLID WASTE ADVISORY BOARD - JESUS VASQUEZ.

STREET CLOSURE TASK FORCE - EMMA LOU LINN.

TELECOMMUNICATIONS COMMISSION - TED KIRCHER, JULIO MASSAD, DR. CHARLES
URDY, JEAN BUTLER.

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

ADJOURNED at 9:15 p.m. on, Mayor Pro Tem Garcia's motion, Councilmember Griffith's second, 6-0
vote, Councilmember Mitchell absent.

Approved on this the 18th day of July, 1996, on, Mayor Pro Tem Garcia's motion, Councilmember
Goodman's second, 7-0 vote.