



Austin City Council MINUTES

For

JANUARY 16, 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 presence of all Councilmembers.

MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, approved minutes for regular meeting of January 9, 1986. (5-0 Vote, Councilmembers Rose and Urdy out of the room.)

CITIZENS COMMUNICATIONS

Mr. Jack Drummond discussed sewer service to his property in Rollingwood. Mayor Cooksey asked for a staff report concerning the request.

Mr. Donald F. Bell discussed cuts in MHMR services and asked that a branch office be established in north or northwest Austin.

Mr. David Smith talked about Austin Transportation Study Roadway Plan.

Mr. James Holland who had requested to speak about relocation of a sidewalk, did not appear before Council.

Mr. Robert Garrett did not appear to speak.

Mrs. Frances Bradley discussed property protection.

Mrs. Janet Klotz discussed land use controls and planning for area northeast of Austin, north of 183 and 290 and east of IH-35 North.

CONSENT ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second waived the requirement for three readings and finally passed the following ordinances in one consent motion: (7-0 Vote)

Amended Annual Operating Budget

Amended the FY 1985-86 Annual Operating Budget by

- a. Appropriating \$5,450,000.00 from the Energy Conservation Fund to the following programs:

Interest Buydown.....	431,800.00
Appliance Efficiency Program...	\$3,940,700.00
Residential Wholehouse Rebates....	114,000.00
Commercial Incentives.....	445,700.00
Commercial Lighting Rebates.....	458,000.00
Commercial Lighting Control.....	59,000.00

- b. Transferring \$638,200.00 from OECRR Loan Program Fund to the Energy Conservation Fund to be appropriated to the following programs:

Residential Loan Program.....	\$631,700.00
Interest Buydown Program.....	6,500.00

Items Postponed

Postponed until January 30, 1986, the following:

Consider consenting to the creation of the Moore's Crossing Municipal Utility District.

Consider consenting to the creation of the North Travis County Municipal Utility Districts 1-3.

Consider consenting to the creation of the Decker Creek Municipal Utility Districts 1-5.

Item Pulled

Pulled from the agenda was consideration of dedication of 56 acres of land at Palmer Auditorium as park land.

Item Postponed

Postponed until January 23, 1986 was consideration of amending the Northwest Area Land Use Guidance Plan by establishing a corridor for higher intensity uses and providing a method for determining equivalent uses.

Zoning Ordinances

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

- a. JOHN E. SIMMONS, 915 Dessau Road From Interim "RR"
TRUSTEE to "CS"
By Melinda J. Longtain
C14r-85-045

Heard and granted May 2, 1985, (6-0). Conditions have been met as follows: Development restricted to that shown on Site Plan attached as Exhibit "A" to the ordinance.

- b. BRUCE PATTERSON 8501 Peaceful Hill From Interim "RR"
By Jerry Harris Lane to "LI"
C14-85-093

Heard and granted June 20, 1985, (7-0). Conditions have been met as follows: Restrictive covenant incorporating conditions imposed by Council has been executed.

- c. DANIEL & ANGELA U. 1308 East 51st Street From "LO" to "CS"
VALDEZ
C14-84-239 (6-0 Vote, Councilmember Shipman abstained.)

Heard and granted October 4, 1984, (5-0). Councilmember Charles E. Urdy out-of-room. Councilmember Sally Shipman absent. Conditions have been met as follows: Restrictive covenant incorporating conditions imposed by Council has been executed.

- d. BERT PENCE 9200-9206 South I.H. 35 From Interim "SF-2"
By Kevin Woodworth to "CS"
C14r-85-194

Heard and granted November 7, 1985, (6-0). Councilmember Mark Rose absent. Conditions have been met as follows: Development restricted to that shown on site plan attached as exhibit "A" to the ordinance.

NORTH AUSTIN MUD LAND PLAN

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, passed through FIRST READING revisions to the North Austin MUD Land Plan, subject to recommendations of the Planning Commission. (6-1 Vote, Councilmember Humphrey voted No.)

ANNEXATION ORDINANCE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, passed through THIRD READING of an ordinance annexing approximately 1.74 square miles of land out of the James Rynearson Survey No. 34, M. Thomas Survey No. 509, Casper Dittmar Survey No. 611, A. Nepgin Survey No. 600 and other surveys, Upper Williamson Creek area for limited purposes of planning and zoning. C7a-85-010. (4-3 Vote, Councilmembers Rose and Urdy and Mayor Pro Tem Trevino voted No.)

DISCHARGE OF SANITARY WASTE

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed an ordinance amending Chapter 12-2, Section 12-2-131 of the Code of the City of Austin, 1981, allowing the Director of Water and Wastewater to designate facilities and to prescribe the hours of operation of receiving stations for the discharge of sanitary wastes. (6-0 Vote, Councilmember Humphrey out of the room.)

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (7-0 Vote)

Release of Easements

- a. The 10' Drainage Easement on Lot 1-G, Resubdivision No. 3 of the Resubdivision of Lot 1, Research Boulevard, Commercial Area, Ohlen Road at Research Boulevard. (Request submitted by Delta Investments)
- b. A portion of the 10' Overhead and Public Utility Easement on Lot 15, Block F, Northwest Hills Mesa Oaks Phase 4-A, 7602 Rockpoint Circle. (Request submitted by Mr. Don Meyers on behalf of Mr. Michael Shefman)
- c. A portion of a Blanket Electric Easement of record in Volume 659, Page 354 of the Travis County Real Property Records insofar as it affects the 34.383 acre tract of land out of the Francisco Garcia Survey located at Parmer Lane at FM 1325. (Request submitted by Mr. Earl Podolnick)
- d. A portion of a 7.5' Public Utility Easement as dedicated on Lot 1, Block A, The Austin South Point Village Plat, IH 35 South of William Cannon. (Request submitted by Espey, Huston and Assoc.)
- e. A portion of the Sidewalk Easement of record in Volume 7678, Page 127 of the Travis County Real Property Records and located on Lots 1 through 3, Mae Crockett Estate Subdivision No. 3, Riverside Drive 100 Block. (Request submitted by the Public Works Department on behalf of the property owners)

- f. The General Utility Easement as dedicated on the original plat of Travis Heights insofar as it affects Lot 7, Block 42, Travis Heights and insofar as it affects that portion of the vacated alley adjoining said Lot as recorded in Volume 927, Page 24, Travis County Real Property Records, 1113 Woodland Avenue.
(Request submitted by Mr. Evan Carton)

Contracts Approved

Approved the following contracts:

GARNEY COMPANIES, INC.
P. O. Box 829
Pflugerville, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Davis Water Treatment Transmission
Main Phase V, Water and Wastewater
Utility Department - \$2,273,150.00
C.I.P. Nos. 85/22-41 & 85/22-27

OLMOS CONSTRUCTION COMPANY
P. O. Box 13172
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Wastewater Action Strategy Plan -
Walnut Creek Water and Wastewater
Plant - Lagoon Reclamation, Water
and Wastewater Utility Department
Total \$228,000.00 C.I.P. 82/23-81

Bid award:

- CAPITAL IMPROVEMENTS PROGRAM -
Network Transformers & Protectors,
Electric Utility Department
Total \$851,368.00 C.I.P. No.
85/15-01

(1) GENERAL ELECTRIC COMPANY
1550 NE Loop 410, Ste. 206
San Antonio, Texas

- Items 1, 2, 4 - \$488,828.00

(2) WESTINGHOUSE ELECTRIC CORP.
201 N. St. Mary's, Ste. 512
San Antonio, Texas

- Items 6, 7 - \$185,925.00

(3) POLELINE ELECTRIC SUPPLY CO.
4111G Todd Lane
Austin, Texas

- Items 3, 5 - \$176,615.00

WESTINGHOUSE ELECTRIC SUPPLY
COMPANY
9230 Research Boulevard
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Two (2) 5.0 MVA Power
Distribution Transformers,
Electric Utility Department
Item 1 - \$97,000.00 C.I.P. No.
86/15-01

RIZZO CONSTRUCTION, INC.
2712 E. Bee Caves, Suite 116
Austin, Texas

- Temporary Fire Station at Kramer
Lane Service Center, Fire Dept.
Total \$93,000.00 86-C065-JJ

FLEET BODY EQUIPMENT
6900 South IH-35
Austin, Texas

- Van-mounted Aerial Tower, Vehicle
Equipment Services Department
Total \$59,000.00 86-0046-JB/DC

Organized Crime Control Unit

Adopted a resolution supporting the application to continue the Greater Austin Area Organized Crime Control Unit through the State of Texas, Governor's Office, Criminal Justice Division.

Juvenile Delinquency Prevention

Adopted a resolution supporting the application to continue the Juvenile Delinquency Prevention Through Crisis Intervention Program through the State of Texas, Governor's Office, Criminal Justice Division.

Child Assault Prevention Project

Authorized the assignment of certain rights and responsibilities under a Social Service Contract with the Austin Rape Crisis Center to the Child Assault Prevention Project of Austin, Texas.

Boat Dock

Approved a request for variance of the 20% rule to allow construction in excess of 20% of the lake front shoreline in construction of a boat dock at 3867 Westlake Drive.

Fill Material for Retaining Wall

Approved a request to place fill material in Lake Austin behind a retaining wall to be constructed at 3107 Edgewater Drive.

Restrictive Covenants

Approved release of restrictive covenants filed and recorded on certain parks.

Public Hearing Set

Set a public hearing on the following: (6-0 Vote, Mayor Pro Tem Trevino abstained.)

Limited purpose annexation of approximately 316 acres in the vicinity of Riddle Road & Brodie Lane. C7ar-86-001 on February 13 & 20, 1986 at 3:00 p.m.

CAPITAL IMPROVEMENTS PROGRAM

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution to approve acquisition of 1,257 square feet of right-of-way at Congress Avenue and Riverside Drive, northwest corner. (Victor C. Sumner Jr. et al) CAPITAL IMPROVEMENTS PROGRAM No. 85/62-66.) (6-0 Vote, Councilmember Rose out of the room.)

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted a resolution approving the following Change Order:

- a. In the amount of \$229,261.40 to Austin Road Company for Jollyville Road, Phase I. (11% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 84/62-14.

CONTRACT APPROVED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving the following contract: (7-0 Vote)

PEABODY SOUTHWEST
5500 Northwest Central Drive
Suite 190
Houston, Texas

3200 G.P.M. Pump and Motor,
Water and Wastewater Department
Item 1 - \$45,000.00 86-0096-CM

SINGLE SLIP BOAT DOCK

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, adopted a resolution approving a request from Dale L. Peterson for a variance from the ten (10) foot setback from the side property line requirement to allow construction of a covered single slip boat dock at 4312 Rivercrest. (6-0 Vote, Councilmember Urdy out of the room.)

FILL MATERIAL IN LAKE AUSTIN

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving a request from Danze, Davis & Yarbrough, Consulting Engineers, on behalf of John W. Wallace, to place fill material in Lake Austin behind a retaining wall at Medway Ranch, 13500 Pecan Park Drive. (7-0 Vote)

APPEAL TO COUNCIL

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second set a public hearing on January 30, 1986 at 5:00 p.m. on the request of Ms. Colleen R. O'Brien and Mr. Richard T. Suttle to set a public hearing on an appeal of the Planning Commission action regarding Lake Austin Watershed Variance request for street grades on Arterial #8. (6-0 Vote, Councilmember Urdy out of the Room)

COMPREHENSIVE WATERSHED ORDINANCE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, adopted the resolution offered by Councilmember Carl-Mitchell creating a select committee to review and make recommendations on the Comprehensive Watershed Ordinance. (7-0 Vote)

EXECUTIVE SESSION

Mayor Cooksey announced Council will go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to discuss matters of land acquisition, litigation and personnel matters. No official action of the City Council will be taken on any of these matters unless such item is specifically listed on the agenda:

- a. Personnel Matter - Municipal Court Clerk, Section 2,
Paragraph h.

RECESS

Council recessed its meeting from 3:50 to 4:30 p.m. for executive session.

WATERSHED TECHNICAL REVIEW COMMITTEE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, appointed the following people to the Watershed Technical Review Committee: Molly Bean, Kent Butler, Jim Camp, Bert Cromack, Mary Ley, Pat Malone, Jack Morton, Scott Roberts, Seth Searcy, Ed Wendler Jr., John Wooley; and ex-officio members without a vote, David Bodenman, Bill Carson, Ken Manning and Claire McAdams.

MUNICIPAL COURT CLERK SALARY

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, approved a 4% salary increase for Municipal Court Clerk Richard Hill, retroactive to December 19, 1985. (7-0 Vote)

PUBLIC HEARING PULLED

Pulled from the agenda was public hearing scheduled for 4:15 p.m. on an appeal of a demolition order issued by the Building Standards Commission for 2504 Walter Street (rear).

ITEMS FROM COUNCIL

Council did not discuss the item from Councilmember Shipman to consider a resolution creating a Downtown Commission.

PUBLIC HEARING SET

The Council unanimously approved setting a public hearing on a proposed amendment to Chapter 13-2A (Revised Zoning Regulations) to permanently zone all property to interim zoning districts and to require compliance with the Compatibility Standards for development on property adjoining property zoned "DR" Development Reserve for February 6, 1986 at 2:00 p.m.

CITY MANAGER REPORT - TDR CAPITOL VIEWS

City Manager Carrasco told Council the purpose of his report is to clarify the question of interpretation with respect to the ordinance on the transfer of development rights - Capitol views. "The way the ordinance reads, currently, the development rights can be transferred not only within the central business district, but actually outside the central business district in what's known as the DMU area. I understand, based on discussions with the staff as well as the Council that the intent of the Council may have been to only allow the transfers to occur within the central business district area and I thought it would be important to bring this matter to your attention and clarify what the Council intent was. Whether it was to make those transfers only within the central business district or the DMU area as well. I thought this the best way to raise the question and get some direction from you. If you decide to change the way the ordinance reads, now, we would have to take the matter back to the Planning Commission for review and then back to the Council for final action."

Councilmember Shipman stated, "The intent was to transfer into the central business district, but I think the critical matter here is what effect this would have on the DMU and I want more information about it. It does not affect the legislation at all as

far as the ability to transfer the air rights. It just says where they go. Whether strictly to the central business district, which was really what our discussion was all about, or include the DMU. I think it would be appropriate to have some more information."

Jim Duncan, Director of OLDS, said "As far as the transfer I think you know we have about 3.2 million square feet that were certified on December 31 that would be eligible for transfer. The ordinance itself has quite a few limitations on that which would preclude any undue concentration in singular areas. For example, no single site can accept more than a 30% increase over what it would have gotten under the Zoning Ordinance. In the DMU, it is a 5.0 FAR so the maximum on any single site could be at 6.5. We also have a time limit on it....the time period in which it has to be executed. We also felt the three million, which would be maximum, would not cause any problems in the DMU. We looked at DMU boundaries and found no relationship with single family type neighborhoods in its application, the first time, but we can look into it further and bring back more detailed information." Councilmember Shipman said she would like to know the proximity to any residential areas. "I immediately think of the University area and know there is some smattering of DMU by the Lamar area." She asked for more information before any process is begun.

STUDY OF SOUTH TEXAS PROJECT

Councilmember Humphrey introduced an item to Council to approve a study on the South Texas Project by Amory Lovins of the Rocky Mountain Institute.

City Manager Carrasco said this should go through the RFP process so anyone who wishes to bid may do so.

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Shipman's second, approved issuing an RFP for a study on the South Texas Project. (7-0 Vote)

EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to discuss litigation and board and commissions. No official action of the City Council will be taken on any of these matters unless such item is specifically listed on the agenda.

RECESS - Council recessed for executive session at 4:45 and resumed its recessed meeting at 5:20 p.m.

APPEAL ON DECISION OF ELECTRICAL BOARD

Mayor Cooksey opened the public hearing set for 5:00 p.m. on an appeal from Mr. Richard G. Garza on the decision of the Electrical Board regarding a master's license for Mr. Bob Weik.

After some discussion it was determined that the posting of the Electric Board's meeting during which Mr. Weik's case was discussed was not properly posted and Council directed the complaint be sent back to the Electric Board and in the meantime, re-instated Mr. Weik's license.

HEARING POSTPONED

Postponed until January 30, 1986 at 5:00 p.m. is the hearing on amending Section 13-2-1 of the Zoning Ordinance, amending the definition of "Restaurant" to conform to current regulation; and passage of ordinance.

PUBLIC HEARING ON APPEAL OF PLANNING COMMISSION'S DECISION

Mayor Cooksey opened the public hearing set for 5:30 p.m. on an appeal from Mr. Rusty Malik of the Planning Commission's decision on Case No. RZ-85-048 (site plan approval) on behalf of the Sigmores Corporation.

Marie Gaines, OLDS, reviewed the case and said it had been departmentally approved.

Rusty Malik, applicant's architect, showed what they would like to do to expand the area to include a convenience store.

Ken Eaton, Diamond Shamrock, said they have met all of the City requirements.

Bill Bingham, representing the applicant, presented a petition of names of customers who had asked for a convenience store.

Nik Brown, Balcones Civic Association, said that his organization does not approve of a store on the site because of the terrain, the traffic and the congestion of the site.

Bob Leonard, Balcones Civic Association, said the site plan is not in compliance with the ordinance.

Mary Lou Shirer, whose property adjoins the site, asked Council to deny the site plan, stating the small area and location of driveways is not conducive to a convenience store.

Jim Nias, representing Ms. Shirer, said the main problem and question is the internal circulation on the site. He asked Council to deny the appeal.

Mr. Bingham presented his closing argument.

After a discussion of traffic and trips generated, the following motion was made:

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, voted to uphold the action of the Planning Commission and deny a convenience store on the site, Case No. RZ-85-048. (7-0 Vote)

ZONING HEARINGS

Mayor Cooksey opened the zoning hearing scheduled for 7:00 p.m. Council heard, closed the public hearings and passed through FIRST READING ONLY of the ordinance on the following case;

(1)	-85	CITY OF AUSTIN	15012-15718 IH-35	From "I-SF-2"
	349	By Office of Land	North, 15501-15705	To Tr. 1 "CS"
		Development Svs.	Patricia Street	Tr. 2 "IP"
			15500-15704, 15501-	NOT RECOMMENDED
			15704 Connie Street	RECOMMENDED "CS"
			15300-15606, 15301-	for Tr. 1 and
			15511 Marsha Street	"LO" for Tr. 2
			1701-1805, 1700-1804	
			Quida Drive & 1700	
			Fleischer Drive.	

FIRST READING OF ORDINANCE ON
TRACT 1 FOR "CS"; TRACT 2 CONTINUE
FOR SIX MONTHS WITH RESIDENTS
PROCEEDING WITH PLANNING AND
PARTICIPATION IN SECTOR 15.

(On Mayor Pro Tem Trevino's motion, Councilmember Urdy's second,
7-0 Vote)

HEARING POSTPONED

Postponed until January 23, 1986 is the hearing on an appeal from Mr. Thomas Miner of the Planning Commission's decision regarding 6705-6713 Manor Road. C14P-85-010. The time of the hearing will be 7:00 p.m.

ZONING HEARING POSTPONED

Postponed until January 23, 1986 at 7:00 p.m. is the following zoning hearing:

-83 V. C. INVESTMENTS 6713 Manor Road
253 By Hermann Vigil

From "I-A" 1st (I-SF-3)
To "B" 1st (MF-3)
RECOMMENDED subject to
up to 50' right-of-way
from centerline of
Springdale and up to 35'
right-of-way from
centerline of Turner.

ORDINANCE RESTRICTING SMOKING IN PUBLIC PLACES

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, passed through THIRD READING of an ordinance restricting smoking in public places (the January 15, 1986 draft by Deputy City Attorney Jonathan Davis, with amendments); effective date of the ordinance is May 15, 1986; guidelines will be presented to Council on February 27, 1986. (7-0 Vote)

PUBLIC HEARING - WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT

Mayor Cooksey opened the public hearing set for 6:00 p.m. to consider consent to the creation of West Travis County MUD.

Members of City staff Jim Duncan, Terry Childers, Curtis Williams, Ron Bond and Sarah Farley reviewed.

David Armbrust, representing applicant spoke in favor as did Ed Wendler Jr.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, approved creation of the West Travis County Municipal District with the following motion: (5-0 Vote, Councilmembers Humphrey and Urdy out of the room.)

(See the following pages for motion.)

West Travis County MUD

I hereby move that the City consent to creation of the West Travis County Municipal Utility District subject to finalization of a consent agreement, which consent agreement shall include the following terms and conditions:

1. The Applicant shall comply with the recommendations contained within the January 6, 1986, approval by the Urban Transportation Commission.

2. The Applicant shall provide a 100 foot building setback on the park/open space adjacent to the lake. This setback shall not prohibit boat ramps or picnic areas within 100 feet of the lake. The Applicant shall comply with LA zoning on the lots adjacent to the lake which requires a 75 foot structure setback. The Applicant shall restrict those lots such that the 75 foot setback shall be maintained in a vegetative state. The Applicant shall restrict the use of herbicides, fertilizers and pesticides within that 75 foot setback. The 75 foot setback shall not affect the building of boat docks or bulkheads on the shore line. The Applicant shall utilize only the type of materials authorized by EPA guidelines for use along the shore line.

3. The Applicant shall comply with the provisions of the Lake Austin Watershed Ordinance. The Applicant shall have the right to request variances from that ordinance but no variances are guaranteed by the City's consent to creation of the District. The Applicant shall comply with any applicable portion of the Comprehensive Plan which may be adopted by the City during the Applicant's permitting process.

4. The Applicant shall comply with the Hill Country Roadway Ordinance on the entire office/retail tract even though only a portion of the tract is within the scope of the ordinance. The Applicant shall be limited to 300,000 square feet of office/retail use.

5. The Applicant shall dedicate all irrigation land and park/open space to the homeowners association (except for the 33 acre public park described in paragraph 15) and shall restrict said property against any future development.

6. A 150-foot construction and site-disturbance setback should be required upgradient from canyon rimrocks, springs, and seeps. Erosion/sedimentation controls should be required to be maintained outside of the setbacks. No irrigation fields should be allowed within the setbacks.

7. Energy dissipation and filtration by grassed swale or other method shall be required on all storm sewer drainage outfalls within 150 feet of all canyon heads and major ravines.

8. The Applicant shall comply with the monitoring program as described in the attachment to this motion and shall continue to work with City staff to finalize the program. If the monitoring program discloses any discrepancies, Applicant shall (i) redesign the irrigation system (ii) add soil or (iii) increase the quality of the effluent to 5/5/2/1.

9. The Applicant shall delete the portion of the office/retail tract which is within the boundaries of Travis County WCID No. 17 from the MUD unless the consent of the District and the City are obtained for the inclusion of that area.

10. The Applicant shall utilize irrigation land on slopes of 0-15% first, as much as is reasonably possible, prior to utilizing 15%-20% slopes for irrigation. Areas of dense vegetation shall be left in their natural state. Sparser areas of vegetation will be augmented with seeding of grasses and winter annual forbs.

11. The Applicant shall evaluate the need for alternative systems, other than septic tanks, on the 81 lots in Phase 3 and shall comply with Texas Department of Health requirements. The Applicant shall investigate ways to provide common maintenance of said systems.

12. The Applicant shall provide overflow containment facilities and backup power at each lift station and comply with City standards.

13. The Applicant shall perform a survey of blackcap vireos and golden cheek warbler birds on the property in the spring or early summer of 1986 and if any developmental conflicts are determined, appropriate mitigative techniques shall be developed and coordinated with City staff.

14. The agreement between the City and the Applicant, dated October 14, 1985, and the agreement between the Protect Lake Travis Association and the City (unless the agreement conflicts with the terms of this motion) concerning the no-discharge permit shall be included in the consent agreement.

15. The Applicant shall dedicate a 33 acre park to the district as identified by the Applicant. The exact configuration shall be worked out with the staff in the vicinity of a hilltop identified by the Applicant near Pecan Drive. The park/open space adjacent to the lake shall be a private park dedicated to the homeowners association. The Applicant shall work with City staff to identify facilities for the public park for passive recreation uses such as picnic areas and shall finance said facilities. The Applicant shall also finance facilities for the private park.

16. The Applicant shall work with City staff in the routing and design of water or wastewater lines crossing any draws to minimize the environmental impacts and to facilitate effective restoration with natural cover.

17. The Applicant shall comply with the "post-Maple Run requirements" unless the conditions in this motion are more specific than those requirements.

18. The Applicant shall comply with the energy conservation program which has been worked out with the Department of Resource Management.

19. The Applicant shall notify the City of any filings with the Texas Water Commission or the PUC in advance of said filing and shall provide copies to the City.

20. The Consent Agreement shall be presented to Council for approval at its February 13, 1986, meeting.

9-186.23

PUBLIC HEARING - CREATION OF POINT VENTURE II MUD

Mayor Cooksey opened the public hearing set for 7:00 p.m. to consider consenting to the creation of the Point Venture II MUD.

Members of the staff who spoke to explain the MUD were Terry Childers, Jim Duncan, Curtis Williams, Ron Bond and Sarah Farley.

Ken Manning, representing the applicant, explained this is the second home development on Point Venture. A long discussion between Councilmembers and Mr. Manning ensued concerning the wisdom of more development at this time.

Motion

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second, closed the public hearing and approved creation of Point Venture II MUD subject to staff and board and commission recommendations; also subject to Council approval. Ordinance will be brought back at a later date. (6-0 Vote, Councilmember Rose out of the room.)

HILL COUNTRY ROADWAY CORRIDOR

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, passed through THIRD READING of an ordinance amending Chapter 13-2(A) (Zoning Ordinance) of the City Code of 1981, providing for a definition of "Hill Country Roadway Corridor", adding new sections 5130-5149, and providing requirements and criteria for development within the "Hill Country Roadway Corridor". (4-2-0 Vote, Councilmember Urdy and Mayor Pro Tem Trevino voted NO, Councilmember Rose abstained.)

ZONING HEARINGS

Mayor Cooksey announced Council would hear the following zoning cases scheduled for 7:00 p.m. Council heard, closed the public hearings, and passed through FIRST READING ordinances for the following:

-85 CONVICT HILL ROAD 7667-7707 U.S. 290
334 JOINT VENTURE West
By John Bolt Harris

From "I-RR" to "MF-3"
RECOMMENDED limited to
net density of 26 units
per acre.

FIRST READING "MF-3"; 255
UNITS TOTAL CAPACITY

(On Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, (7-0 Vote.)

1/16/86

r-84 BILL GASTON
509 ENTERPRISES, INC.
By Terrence Lang
Irion

9185 Research Blvd.

From "D" 1st (LI)

To "D" 3rd (LI)

NO RECOMMENDATION

FIRST READING; "D" 3rd (LI)

FAR .9

(On Councilmember Shipman's motion, Councilmember Urdy's second,
4-2 Vote, Councilmember Carl-Mitchell and Humphrey voted No,
Mayor Cooksey abstained since the applicant is a client of his law
firm.)

MKT RIGHT-OF-WAY

Mayor Cooksey and Councilmember Urdy introduced an item
to Council to consider directing City staff to amend the application
from the City to the Urban Mass Transportation Administration deleting
the request for funding to purchase the MKT right-of-way.

ITEM NOT CONSIDERED

Council did not consider appointments to the Comprehensive
Plan Steering Committee as listed on the agenda under resolutions.

ADJOURNMENT

Council adjourned its meeting at 11:10 p.m.