Item C-12

Watson & Associates
Dispute Resolution Services
Austin, Texas

Honorable Mayor and City Council Members
City of Austin, Texas
P.O. Box 1088
Austin, Tx 78767

Dear Mayor and Council Members:

At your direction, zoning case C14H-04-0001, 1204 Travis Heights Boulevard, was referred to mediation on May 27, 2004. Discussions were candid and productive and resulted in an Agreement-In-Principle (attached). The participants included the property owner and his architect, the president of the South River City Citizens Neighborhood Association and a resident of the neighborhood who is a neighborhood sub-committee member assigned to this case. Given the nature of the process within which this dispute falls, this agreement was the alternative to an impasse over the proposal for a recorded restrictive covenant binding the property.

An agreement such as this publicly memorializes the positions of each of the parties. It is not a legally binding contract nor is it a recordable covenant. At this point in the zoning process, such an agreement is a tribute to the good faith of the parties and should resolve the mediated dispute before City Council.

Respectfully submitted,

Tracy H. Watson
Principal
Watson & Associates

Attachment: Agreement-In-Principal

XC: Austan Librach, Director, TPSD
Steve Sadowsky, Historic Preservation Officer

Watson & Associates

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Item Z-12

Mediation Agreement-In-Principle
Case Number 04-01
1204 Travis Heights Boulevard

The undersigned parties have reached agreement-in-principle for the dispute on the proposed project noted above which was referred on May 27, 2004 to mediation by the City of City Council for resolution.

The terms of this Agreement-In-Principle are described as follows:

1) Upon one lot of the two shown as located at 1204 Travis Heights Blvd. (shown on Exhibit A attached - zoning case map) will be developed as proposed by the undersigned property owner on plans identified as CASA 1206 by Studio Momentum Architects. Should the second lot be retained and built upon by the undersigned property owner, said owner shall use all reasonable efforts to construct a single family house with a side or rear entry garage.

2) The South River City Citizens Neighborhood Associations will not continue to support the pending Historic Zoning Case C14H – 04 – 0001 on this property.

The parties represent that with the above representations, they jointly agree to this Agreement-In-Principle. The Agreement is effective the 8th day of June, 2004.

Rusty Bannerman – Property Owner

Kenny Hilbig – Participant
President, SRCC

Jeffrey Ouellette - Participant

Bob Drew - Participant

Witness & Attest:

Tracy H. Watson
Mediator
Watson & Associates
Dated: June 8, 2004