



Austin City Council MINUTES

For DECEMBER 8, 1988 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Mayor Cooke called to order the meeting of the Council at 1:25 P.M., noting the presence of all Councilmembers. (Council had met from 1:20 to 1:25 P.M. for a meeting of the Austin Housing Finance Corporation.)

MINUTES APPROVED

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Humphrey's second, approved minutes for regular meeting of December 1, 1988 and special meeting of November 29, 1988. (5-0 Vote, Councilmembers Carl-Mitchell and Urdy out of the room)

CITIZEN COMMUNICATIONS

Mr. Kendall Thomas withdrew his request to speak. Ms. Lori Cervenak-Renteria discussed homeless affairs. Mr. Gil Johnson discussed inspection requirements. Mr. Jerry Lawson talked about "wide-area energy management" field test in Austin commercial sector by Oak Ridge Laboratory and U.S. Department of Energy. Ms. Ingrid Weigand and Mr. Frank Morrow talked about public access television, as did Ms. Linda Litowsky. Mr. Albert Stowell did not appear to speak.

EXECUTIVE SESSION

Mayor Cooke announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation and for personnel matters. No final action, decision or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

1. Pending Litigation - Section 2, Paragraph e

- (a) City of Austin vs. Houston Lighting and Power
- (b) ETSI Pipeline Project, et al. vs. Burlington Northern, Inc., et al., C.A. No. B-84-979-CA
- (c) First State Bank v. City of Austin before Texas Water Commission
- (d) Bee Caves Partners, Ltd. v. City of Austin before the Texas Water Commission
- (e) Wasson Road Joint Venture v. City of Austin

2. Land Acquisition - Section 2, Paragraph f
 - (a) Resource Recovery Generating Plant; Sale of Land and Fixtures
3. Personnel Matters - Section 2, Paragraph g
 - (a) City Manager Search

RECESS

Council recessed for executive session 2:00 P.M. to 7:39 P.M.

ANNOUNCEMENT

Mayor Cooke announced no action will be taken as a result of executive session, but he said Council will decide on a City Manager on December 20, 1988.

ZONING HEARINGS

Mayor Cooke announced Council would hear the following zoning cases. Council heard, closed the public hearings, passed ordinances where applicable, and postponed if necessary. Disposition of cases follows each listing.

a. Items continued from previous meeting:

- | | | | |
|-----|-----------------------|--------------------|------------------------------------|
| (1) | -88 DAVENPORT LIMITED | Loop 360 | From "LA", "SF-2" |
| | 0601 Davenport West | and Westlake Drive | To "PUD" |
| | PUD | | <u>Continued 12/15/88 @ 4 P.M.</u> |
| | by Land Strategies | | |
| | Inc. | | |

b. Recommended by the Planning Commission, As Requested:

- | | | | |
|-----|---|------------------|---------------------------------------|
| (2) | -88 PEYTON COLLINS | U.S. Hwy. 290 | From "P" |
| | 0126 & COMPANY | West & West | To "SF-2" |
| | By Armbrust & | William Cannon | RECOMMENDED |
| | Brown | Drive | <u>EMERGENCY PASSAGE OF ORDINANCE</u> |
| | (Applicant requests emergency passage of ordinance) | | |
| (3) | h-88 WESLEY UNITED | 1164 San Bernard | From "SF-3" |
| | 0017 METHODIST CHURCH | | To "SF-3-H" |
| | By City of Austin | | <u>RECOMMENDED</u> |
| | | | <u>ORDINANCE</u> |
| (4) | h-88 SPINOLA-SMITH | 1160 San Bernard | From "SF-3" |
| | 0018 HOUSE | | To "SF-3-H" |
| | By City of Austin | | <u>RECOMMENDED</u> |
| | | | <u>ORDINANCE</u> |
| (5) | h-88 DILL-WHITE HOUSE | 1110 East 10th | From "SF-3" |
| | 0020 By City of Austin | | To "SF-3-H" |
| | | | <u>RECOMMENDED</u> |
| | | | <u>ORDINANCE</u> |

b. Recommended by the Planning Commission, As Requested: (continued)

(6) h-88 BAILETTI-WALKER 1006 Waller From "CS"
0022 HOUSE To "CS-H"
By City of Austin RECOMMENDED
ORDINANCE

c. Recommended by the Planning Commission, With Conditions:

(7) -88 LAKELINE Ridgeline Drive From "MF-3"
0107 DEVELOPMENT & F.M. 620 N. To "GR"
CORP. ORDINANCE
By Richardson
Verdoorn

RECOMMENDED "GR-CO" with a conditional overlay
limiting building heights to 40 ft.

(8) -88 SETTLEMENT CLUB 1600 Peyton Gin From "SF-3", "SF-3-H"
0122 By Sheri Gallo Road To "GO-CO", "GO-H-CO",
"SF-3"

CONTINUED JANUARY 19, 1989 @ 4 P.M.

RECOMMENDED subject to (1) deleting the
right-of-way requirement (2) congregate living
restricted for 18 & under (3) recommended that
Council consider special fees for c.u.p.'s for
human service providers (4) applicant make effort
to meet with neighborhood association on any
proposed site plans.

(9) -88 KILLEEN SAVINGS 11400-11500 Jolly- From "I-SF-2"
0066 & LOAN ville Road To "MF-2"
By Mauro, Wendler, FIRST READING
Sheets & Assoc.

RECOMMENDED "MF-2/CO" Multifamily Residence (Low Density) with a
Conditional Overlay district limiting the density to 23 units per
acre, subject to the recommendations of the Transportation Review
memorandum.

(10) -88 BRUCE SHUMATE 5228 McCarty Lane From "SF-2"
0104 By Lichliter/ To "SF-6" & "RR"
Jameson & Assoc. FIRST READING

RECOMMENDED "SF-6" subject to dedication of up to
35' of right-of-way from the centerline of McCarty
Lane; trees with oak wilt to be removed prior to
3rd ordinance reading.

12/8/88

c. Recommended by the Planning Commission, With Conditions: (continued)

- (11) -88 FIRST REPUBLIC 5218 and 5224 McCarty From "SF-2"
 0105 BANK NA Lane To "SF-6", "MF-2" &
 By Lichliter/ DEDICATION OF UP TO 35' "RR"
 Jameson & Assoc RIGHT-OF-WAY FROM CENTER FIRST READING
LINE OF MCCARTY LANE

RECOMMENDED subject to conditions outlined in
 October 26, 1988 memo from Ron Spencer to Betty
 Baker and trees with oak wilt to be removed prior
 to 3rd reading.

- (12) -88 DANIEL R. PORTH 10713-10735 From "LO"
 0022 By Donna Jollyville Road To "LO-CO" & "GR"
 Kristaponia FIRST READING

RECOMMENDED subject to conditions of letter to Jim
 O'Donnell dated November 1, 1988; dedication of 120
 ft. right-of-way for Braker Lane; access to
 Jollyville Road limited to joint use driveway, and
 fiscal.

(ON COUNCILMEMBER HUMPHREY'S MOTION, BARNSTONE'S SECOND, 5-0 VOTE, MAYOR PRO TEM
 SHIPMAN, COUNCILMEMBER NOFZIGER OUT OF THE ROOM)

- (13) -88 JOSEPH, RIDER & IH-35 North & West From "DR"
 0077 CAMERON Palmer Lane To "CH" & "GR"
 By Susan Irvin FIRST READING

RECOMMENDED subject to limited F.A.R. of .65 on Tract 2 and 1.0
 on Tract 3.

Motion

Councilmember Urdy made a motion, seconded by Councilmember Barnstone to
 approve the Planning Recommendation with Tract 2 .65 FAR and Tract 3 1.0 FAR.

Substitute Motion - FAILED

Councilmember Carl-Mitchell offered a substitute motion, to approve Tract 2
 .6 FAR and Tract 3 .6 FAR. Motion FAILED by a vote of 3-4 with Mayor Cooke,
 Councilmembers Barnstone, Humphrey and Urdy voting No.

Roll Call on Original Motion - FAILED

3-4 Vote, Mayor Cooke, Councilmembers Carl-Mitchell,
 Humphrey and Mayor Pro Tem Shipman
 voted No.

Motion

The Council, on Mayor Cooke's motion, Councilmember Humphrey's second approved
 Tr. 1 "GR-CO" .35 FAR, Tr. 2 .60 and Tr. 3 .75 FAR. (7-0 Vote)

(14) -88 ALMA G. MEYERS 1004 East 32nd From "MF-4"
0132 By Malcolm Street To "GO"
Belisle FIRST READING

RECOMMENDED subject to 35 feet of right-of-way
dedication from the centerline of East 32nd
Street.

2. AMENDMENTS TO RESTRICTIVE COVENANTS

a. Recommended by the Planning Commission, As Requested:

(1) r-81 ABBOTT 3900 Howard Lane Restrictive
037 LABORATORIES Covenant Amendment
By Robert Sneed RECOMMENDED
APPROVED COVENANT AND
RESOLUTION

b. Recommended by the Planning Commission, As Requested, With Conditions:

(2) -79 C. F. SILVER 2900 South 1st Restrictive
189 ASSOC. Street Covenant Amendment
By Patrick J. APPROVED COVENANT AND
O'Connell RESOLUTION

RECOMMENDED as recommended; prior to City Council
hearing, it has been requested that the applicant
submit a landscape plan for review by staff and
neighborhood group to address buffering/screening
at rear lot line.

(On Councilmember Humphrey's motion, Councilmember Barnstone's second, 5-0 Vote,
Mayor Pro Tem Shipman and Councilmember Nofziger out of the room.)

CERTIFICATES OF OBLIGATION

The Council, on Councilmember Humphrey's motion, Councilmember
Carl-Mitchell's second, adopted a resolution authorizing publication
of notice of intent to issue Certificates of Obligation in the amount
of \$5,600,000.00 for acquiring, constructing and installing additions
and improvements to the City's solid waste disposal system and
facilities. (7-0 Vote)

PUBLIC HEARING - CULTURAL ARTS MAJOR FACILITY POLICY

Mayor Cooke opened the continued public hearing to consider
amending the Cultural Arts Major Facilities Policy. Registration
cards for speakers are on file in the City Clerk's office.

The Council, on Mayor Pro Tem Shipman's motion, Councilmember

Carl-Mitchell's second, closed the public hearing and directed this be posted for action on January 5, 1989. (7-0 Vote)

PUBLIC HEARING - AMENDMENTS TO AUSTIN METROPOLITAN AREA ROAD PLAN

Mayor Cooke opened the public hearing set for 5:00 P.M. on proposed amendments to Austin Metropolitan Area Road Plan with regard to North and South Lamar Boulevard. Cards for speakers are on file in the City Clerk's office.

Motion

The Council, on Mayor Pro Tem Shipman's motion, Councilmember Carl-Mitchell's second, voted to continue the public hearing on January 12, 1988 at 5:00 P.M.

PUBLIC HEARINGS CONTINUED

Continued to 4:00 P.M. on December 15, 1988 is the public hearing on amendments relating to the "PUD" District.

Continued to December 15, 1988 at 4:15 P.M. is the continued public hearing on amendments establishing an "M-PUD" Master Planned Unit Development District.

ITEMS POSTPONED

The remainder of the items on the agenda were postponed to a later date.

- Board and Commission report from Austin Convention and Visitor Bureau to 12/15/88
- Ordinances considering six annexations to 12/15/88
- Resolution concerning A.R. Davis Water Treatment Plant to 12/15/88
- Resolution approving payment of assessment to Edward's Aquifer District to 12/15/88
- Items from Council re Austin Economic Dev. Corp. to 12/15/88
- Ordinances to vacate a portion of Wasson Road; Capital Improvements Program Items, and consideration of cancelling several City Council meetings will be on the 12/15/88 agenda.
- Postponed to December 10, 1988 at 4:30 P.M. is an ordinance concerning Bonita Vista subdivision.

- Resolutions concerning License Agreement; notice of full purpose annexations; landscaping; Capital Metro; paving assessments; supplemental agreements; Davenport Ranch were postponed to 12/15/88. The supplemental agreements with State Dept. of Highways was postponed to 12/13/88 at 3 P.M.

- An ordinance concerning Bee Caves Partners Ltd. was postponed to 12/12/88 at 4:30 P.M. (Gill Ranch)

- A resolution concerning roof repair at Rosewood Zaragosa was postponed to 12/15/88

PUBLIC HEARING SET

Set for 12/15/88 at 6:00 P.M. is a public hearing on commercial and residential garbage collection fees increases, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.

ITEMS FROM COUNCIL POSTPONED

Postponed to 12/15/88 is consideration of a resolution establishing a committee to look at the use of parkland for private commercial use.

Also postponed to 12/15/88 is consideration of moving the senior citizen's luncheon program back to the South Austin Multi-Purpose Center.

ADJOURNMENT

Council adjourned its meeting at 9:30 P.M.