



Austin City Council MINUTES

For MAY 26, 1988 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Councilmember Urdy.

CITIZEN COMMUNICATIONS

Mr. M. O'Hayer did not appear. Mr. Eric Paul Robertson discussed single member districts. Ms. Roxanne Boothe was not present. Mr. Hamilton Palmer discussed engineering and surveying professional services agreements and the relationship with minority business enterprises and women business enterprises' participation. Mr. Bruce A. Lester, Mrs. Dianna Walker, Ms. Lisa Rush and Mr. James Williams all discussed the homeless situation in Austin. Council set a work session for June 7, 1988 on the homeless. Mr. Morris L. Keyte talked about elimination of the Resource Management Department. Mr. Shawn Ellison talked about the preservation of an Austin landmark, Liberty Lunch.

ITEM TO BE BROUGHT BACK

Council agreed to have the Task Force reconvene to consider the wording included in an ordinance to amend Chapter 9-12 of the Code of the City of Austin by adding an article entitled "Diseased Trees and Firewood" which defines certain nuisances, providing notice of abatement and appeal from such notice and gives the Urban Forestry Board power to hear such appeals. This will be brought back on the June 9, 1988 agenda.

ITEMS POSTPONED

Postponed indefinitely is the Lamar Savings portion concerning the negotiation and execution of contracts (RFP) for the Community Land Banking Project, not to exceed \$150,000.00. The other portion was approved at a previous Council meeting.

Postponed to May 31 and June 2, 1988 is consideration of approval of a contract (12 month) (RFP) to Radian Corporation in the amount of

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\$105,000.00 for analytical laboratory services for the Department of Environmental Protection.

Postponed to May 31, 1988 is consideration of making appointments to the Brushy Creek Regional Wastewater System Technical Committee.

Postponed to June 2, 1988 is consideration of affirming the action of the Austin Housing Finance Corporation (AHFC) allocating \$690,000.00 in Residual Value Bond Revenue for first year activities.

Postponed to June 2, 1988 is consideration of approving a contract (RFP) to Greater Austin Housing Development Corporation, Blackland Community Development Corporation and Austin YWCA in the amount of \$157,000.00 for Transitional Housing for the Homeless, and awarding Administration of Health Services for the Homeless to Austin-Travis County Health Department in lieu of award to an outside vendor in the amount of \$52,000.00.

Postponed to May 31 and June 2, 1988 is consideration of approval of a contract (RFP) award to Cresap, A Perrin Towers Company, in the amount of \$348,580.00 regarding the Independent Audit of electric billing issues.

Postponed to June 2, 1988 is consideration of rescinding the Council's previous action on Woodhue Crossing (RZ-87-024) approving a modified site plan, and instructing the City staff to process a conditional overlay zoning case on the remaining property and a zoning rollback of the "LI" zoning to "CS" as recommended by the Planning Commission and agreed to by the property owner and the neighborhood association.

Postponed to June 9, 1988 is consideration of approval of the Private Industry Council/Local Government Partnership Agreement.

REPORT FROM INTERIM PLANNING BOARD FOR THE HOMELESS

A report was given to Council by Interim Planning Board for the Homeless on recommendation on homeless transitional and health services contract awards. A resolution will be on the June 2, 1988 agenda.

ZONING ORDINANCES

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, passed through second/third readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, Councilmember Urdy absent)

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|-----|----------------------|-----------------------|-------------|
| (1) | CITY OF AUSTIN | 1500 West | From "SF-3" |
| | PARKS AND RECREATION | Riverside | to "P" |
| | DEPARTMENT | 200-214 South Lamar | |
| | C14-87-074 | 1400-1800 Toomey Road | |

First reading on August 27, 1987, (7-0). No conditions to be met.

- | | | | |
|-----|----------------------|-------------|-------------|
| (2) | CITY OF AUSTIN | 7000 Ardath | From "SF-2" |
| | PARKS AND RECREATION | | to "P" |
| | DEPARTMENT | | |
| | C14-87-075 | | |

First reading on August 27, 1987, (7-0). No conditions to be met.

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|-----|----------------------|------------------|-------------|
| (3) | CITY OF AUSTIN | 3427 Parker Lane | From "SF-3" |
| | PARKS AND RECREATION | | to "P" |
| | DEPARTMENT | | |
| | C14-87-076 | | |

First reading on August 27, 1987, (7-0). No conditions to be met.

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|-----|----------------------|---------------|-------------|
| (4) | CITY OF AUSTIN | 6900 Block of | From "SF-3" |
| | PARKS AND RECREATION | Onion Creek | to "P" |
| | DEPARTMENT | | |
| | C14-87-077 | | |

First reading on August 27, 1987, (7-0). No conditions to be met.

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|-----|----------------------|----------------|--------------------|
| (5) | CITY OF AUSTIN | 5909 Coolbrook | From "LR", "MF-2", |
| | PARKS AND RECREATION | Drive | "MF-3" & "SF-2" |
| | DEPARTMENT | | to "P" |
| | C14-87-078 | | |

First reading on August 27, 1987, (7-0). No conditions to be met.

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|-----|----------------------|-----------------|-------------|
| (6) | CITY OF AUSTIN | 1200 Montopolis | From "SF-3" |
| | PARKS AND RECREATION | Drive | to "P" |
| | DEPARTMENT | | |
| | C14-87-079 | | |

First reading on August 27, 1987, (7-0). No conditions to be met.

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- (7) CITY OF AUSTIN 1400 Wilshire From "SF-3"
PARKS AND RECREATION to "p"
DEPARTMENT
C14-87-080

First reading on August 27, 1987, (7-0). No
conditions to be met.

- (8) CITY OF AUSTIN 10800 Oakview From "SF-2" & "DR"
PARKS AND RECREATION Drive to "p"
DEPARTMENT
C14-87-081

First reading on August 27, 1987, (7-0). No
conditions to be met.

- (9) STEBBINS FIVE 6909 Burnet Lane From "GR" & "MF-3"
PARTNERSHIP & 2105 Cullen to "GO - CO"
By Kendall, Randle, Avenue
Finch & Osborn
C14-87-184-C0

First reading on March 24, 1988, (5-0). Mayor Pro Tem
John Trevino, Jr. and Councilmember Charles E. Urdy
out of room at roll call. Conditions have been met
as follows: Conditional Overlay incorporates
conditions imposed by Council.

ITEM ALREADY APPROVED

Approved on May 24, 1988 is consideration of declaring the
necessity for ordering improvements to Riddle Road/Slaughter Lane,
consisting of 2 units covering approximately 4,150 feet.

CONTRACT APPROVED

Approved the following contract by adopting a resolution on
Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second,
(6-0 Vote, Councilmember Urdy absent)

WECK SURGICAL
1728 Liberty Lane
Mesquite, Texas

- Skin Staplers, Brackenridge
Hospital
Twelve (12) Month Supply Agreement
Total \$156,774.00 BS8-215

ITEM ALREADY APPROVED

On May 24, 1988 Council approved amending the 1987-88 Annual
Operating Budget by transferring \$21,285.00 from the Civic Center Reserve
Fund and appropriating it to the CIP Civic Center Project in order
to provide funds for the administration of the grant to be received from
the National Endowment for Arts for the Art in Public Places Program.

CONSENT ORDINANCES

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (6-0 Vote, Councilmember Urdy absent)

Operating Budget Amendment

Amended the 1987-88 Annual Operating Budget by:

- a. Appropriating \$5,000 from the Economic Development Endowment Trust Fund interest earnings to fund a contract with the American Association of Enterprise Zones to establish a Shared Foreign Sales Corporation Program.

Street Name Changes

Approved the following street name changes:

- a. A portion of Convict Hill Road to Kenosha Pass, from the north line of Escarpment Boulevard in a northerly direction to existing Kenosha Pass.
- b. A portion of Giles Lane to Farmhaven Road, from the intersection of Farmhaven Road, in a northerly direction 2,400 feet more or less to the south line of Boyce Lane.

CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, adopted the following resolutions all in one consent motion: (6-0 Vote, Councilmember Urdy absent, unless otherwise noted)

Release of Easement

Authorized the release of the following easements:

- a. A portion of a 7.5' Public Utility Easement of record in Book 83, Pages 151B through 151D, Travis County Plat Records, located on Lots 7-C and 8, Cat Mountain Villas, Section III. (5840 Westslope Drive)

Capital Improvements Program

Approved acquisition of 17,882 square feet of land needed for the construction of Davis Lane, CDD #43 Street Improvement Project. C.I.P. No. 85/62-63. (5-0 Vote, Mayor Pro Tem Trevino abstained due to possible conflict, Councilmember Urdy absent)

Eminent Domain Proceedings

Authorized the filing of Eminent Domain Proceedings to acquire the following:

- a. A Permanent Water and Wastewater Easement of 1,661 square feet and a 500 square foot Temporary Easement out of Lot One (1), in Block A of Anderson Mill East Section Two, Williamson County, Texas, owned by Republic of Texas Properties, Inc. for the Jollyville Water Transmission Main. C.I.P. No. 85/22-23
- b. 7,184 square feet of land for a Water Line Easement out of Lot 1, 183 Commercial Three, a subdivision of the City of Austin, Williamson County, Texas, owned by Bill Milburn for the Jollyville Water Transmission Main. C.I.P. No. 85/22-23
- c. 710 square feet of land for a Water Line Easement and a 10 foot Temporary Construction Easement out of Lot 2, Block A, Bank of the Hills Section Two-A situated in the William Frampton Survey, Abstract No. 230, Williamson County, Texas, owned by Taber Associates, Limited Partnership, a Connecticut limited partnership, for the Jollyville Water Transmission Main. C.I.P. No. 85/22-23
- d. 2,018 square feet of land for a Permanent Water and Wastewater Easement and a 10 foot Temporary Construction Easement out of Lot 1, Block A, of Bank of the Hills Section Four, Williamson County, Texas, owned by Condooffice, Inc. for the Jollyville Water Transmission Main. C.I.P. No. 85/22-23
- e. Two tracts of land containing 0.053 acre (2300 square feet) of land in fee simple out of the George W. Davis Survey No. 15 in Travis County, Texas, owned by Rogers D. Wilson for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01
- f. Drainage Easements containing a total of 2.3378 acres (101,836 square feet) of land out of the Santiago Del Valle Grant No. 24, Travis County, Texas, owned by Viewpoint Joint Venture for the Stassney Lane Extension Drainage Project. C.I.P. No. 81/62-11
- g. 0.014 acre (620 square feet) of land in fee simple and a Temporary Construction Easement containing 0.016 acre (690 square feet) of land out of the George W. Davis Survey No. 15 in Travis County, Texas, owned by 8300 Research Associates for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01
- h. 0.965 acre (42,030 square feet) of land in fee simple out of the James P. Wallace Survey No. 57 in Travis County, Texas, owned by H.E. Butt Grocery Company for the U.S. Highway 183 Expansion Project. C.I.P. No. 85/62-01

Moore's Crossing MUD

Approved a Cost Participation in the oversizing of the waste-water improvements for Moore's Crossing MUD in the amount of \$12,894.00.

PARK AND RECREATION POLICY ADVISORY COMMITTEE (PAR-PAC)

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, adopted a resolution establishing the Park and Recreation Policy Advisory Committee (PAR-PAC) as follows: (5-0 Vote, Mayor Pro Tem Trevino out of the room, Councilmember Urdy absent)

Parks and Recreation Advisory Committee: (10 Voting Members)

- Three representatives of the Travis County Commissioners Court
- Three representatives of the Austin City Council
- Two representatives of the Lower Colorado River Authority Board of Directors
- Two representatives of the Austin Independent School District Board of Directors.

Advisory Subcommittee (ASC): (7 non-voting members)

- City Manager, City of Austin
- General Manager, Lower Colorado River Authority
- Parks Director, Travis County
- Executive Director, Capital Area Planning Council
- Superintendent, Austin Independent School District
- Executive Director, Texas Parks and Wildlife Department
- Representative, Keep Austin Beautiful; or their designees

AUSTIN METROPOLITAN AREA ROADWAY PLAN AMENDMENT FOR NORTH LAMAR

Council had before them for consideration an amendment to the Austin Metropolitan Area Roadway Plan for North Lamar Boulevard from interchange at Anderson Lane and 183. The following motion was made:

Motion

Councilmember Shipman made a motion, seconded by Councilmember Carl-Mitchell to "refer this to the Urban Transportation Commission and the Planning Commission to go through the roadway process and re-evaluate, in light of Council's asking them to re-examine the South Lamar expansion, that they re-examine the North Lamar expansion also, through the whole public process, and include the interchange at Anderson and 183 to include linkage of Anderson onto 183" (6-0 Vote, Councilmember Urdy absent)

EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated,

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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 v. Houston Lighting and Power

RECESS

Council recessed for executive session from 2:40 to 3:15 p.m. Mayor Pro Tem Trevino left the Council Chamber for remainder of meeting.

RECESS

Council had concluded its executive session and stood at recess from 3:15 to 4:05 p.m. until it was time for the next agenda item.

ZONING HEARINGS

Mayor Cooksey 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.

(1)	-87	R. L. TINGLEY	7417, 7419 E.	From "I-SF-3"
	183	By Richardson	Riverside Drive	To "GR" & "CS-1"
		Verdoorn		NOT RECOMMENDED
				RECOMMENDED "GR"
				<u>FIRST READING</u>

GRANT "GR" TO TRACT 1, WHICH CONTAINS THE PAD SITES WITH RECTANGULAR PAD DESIGNATED AS TRACT 2 AND TRIANGULAR PAD DESIGNATED AS TRACT 3, AS DESCRIBED IN FIELD NOTES BEING DESIGNATED AS "CS-1"; WITH RESTRICTIVE COVENANT THAT WHEN THE RECTANGULAR PAD IS NO LONGER AVAILABLE, AT THAT TIME AND NOT BEFORE, THE APPLICANT COMMIT TO NOT UTILIZING THE TRIANGULAR SITE.

(On Councilmember Humphrey's motion, Councilmember Nofziger's second, 5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy absent)

(2)	-84	BRAD AND SHIRLEY	1213 West 49th	From "SF-3"
	392	ELLIS	Street	To "NO"
		By David		NO RECOMMENDATION
		Bodenman		<u>DENIED</u>

(On Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy absent)

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- (3) r-84 FROST BANK NORTH 4907-4933 Spicewood
146 AUSTIN Springs Road
By Jack Holford
(Applicant requests to be withdrawn)!

From "I-SF-3"
To "LO"
RECOMMENDED 3-MONTH
EXTENSION
WITHDRAWN

- (4) -88 DEL VALLE I.S.D. 13901 F.M. 969
0012 By Architecture
Unlimited

From "DR"
To "P"
RECOMMENDED
FIRST READING

SUBJECT TO DEDICATION OF UP TO 60'
RIGHT-OF-WAY FROM CENTER LINE OF
F.M. 969

- (5) -88 SPICEWOOD 11207 Spicewood
0016 DEVELOPMENT Parkway
CORP.
By Travis
Associates

From "DR"
To "P"
RECOMMENDED
ORDINANCE

- (6) -88 HARRY E. WARD 607 & 609 Nelray
0010 By Robert A. Boulevard
Baker, Jr.

From "SF-3"
To "MF-3"
FIRST READING

RECOMMENDED "MF-3" with a conditional overlay limiting height to 2 stories and limiting density to 24 UPA, subject to dedication of up to 35 feet of right-of-way from center line of Nelray Boulevard.

- (7) -88 BRIDGES LUMBER 5307 W. US Hwy. 290
0017 COMPANY
By Holford Group

From "DR"
To "CS"
FIRST READING

RECOMMENDED "CS-CO" per staff recommendation, subject to the following conditions: (1) restrict uses to lumberyard and hardware store and uses permitted in "GR" district (2) redevelop according to "GR" site development regulations and (3) dedication of 75 feet of right-of-way from the center line of U.S. 290 and reservation of right-of-way as needed by the State Highway Department. Planning Commission does not support applicant's request for right-of-way waivers.

- (8) -88 ANTHONY VILLEGAS 607 W. Gibson
0011 By Rylander Street
Consulting Group

From "SF-3"
To "NO"
EMERGENCY PASSAGE OF ORDINANCE

(This case continued on next page.)

RECOMMENDED "NO" subject to the following conditions: (1) a 23.5 foot undisturbed landscape buffer along the site's western property line; (2) a 6 foot fence along the western property line; (3) landscaping sufficient to screen parking headlights alongside the northern and southern property lines; (4) access onto West Gibson Street should be limited to one curb cut for the entire site, with no driveway access from Lot 9; and (5) the ~~"NO"-zoning-will-serve-only-the-business-on-South-1st.~~ DELETE #5

(9)	-88	BUCKNER BAPTIST	1101 E. Braker	From "SF-2"
	0013	BENEVOLENCES	Lane	To "MF-3"
		By Graeber,		<u>FIRST READING</u>
		Simmons & Cowan		

RECOMMENDED "MF-3" with a conditional overlay district limiting uses to convalescent services, congregate living, and retirement housing (large site), limiting building heights to one-story or 25 feet, and limiting density to 2,700 square feet of site area per bedroom (roughly equivalent to 16 one-bedroom units per acre). Subject to dedication of up to 50 feet of right-of-way from the centerline of Braker Lane and dedication of up to 30 feet from the centerline of Tom Adams Drive.

(10)	-88	TAYLORBANC	12400 Metric	From "LO"
	0014	SAVINGS ASSN.	Boulevard	To "GR"
		By Donna		<u>FIRST READING</u>
		Kristaponis		

RECOMMENDED "GR-CO" Community Retail Zoning subject to the following conditions: (1) limited to no more than 20,000 square feet (gross area); (2) one story height limit; (3) prohibiting auto sales, auto rental, auto repair services and auto washing, commercial off-street parking, drive-in, fast food restaurant, and service station; and a restrictive covenant related to architectural controls to insure consistency with design of A.C.C.

(On Councilmember Humphrey's motion, Mayor Cooksey's second, 5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy absent)

(11)	-86	THOMAS C. VANDER	Proposed Rustling	From "DR"
	054	By Jim Rose	Ridge & proposed	To "LR"
			Arterial 8	NO RECOMMENDATION
				<u>FIRST READING</u>

1. ONE STORY 2. MAXIMUM 60,000 SQUARE FEET RETAIL USE
3. ARCHITECTURAL PLANS REVIEWED BY NEIGHBORHOOD ASSOCIATION
4. NO C.O.'s UNTIL CONSTRUCTION CONTRACT LET ON ARTERIAL 8
5. RIGHT-OF-WAY DEDICATION PER STAFF RECOMMENDATION: 90' FOR ARTERIAL 8, 70' FOR RUSTLING RIDGE

(On Councilmember Humphrey's motion, Mayor Cooksey's second, 5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy absent.)

- (12) H-87 PADGITT-WARMOTH 208 East 6th Street From "CBD"
0020 BLDG. To "CBD-H"
By City of Austin NO RECOMMENDATION
ORDINANCE
- (13) H-87 WEBB-SHAW BLDG. 212 East 6th Street From "CBD"
0020 By City of Austin To "CBD-H"
NO RECOMMENDATION
ORDINANCE

(On Councilmember Humphrey's motion, Mayor Cooksey's second, 5-0 Vote, Mayor Pro Tem Trevino, Councilmember Urdy absent)

- (14) -86 DR. G.R.F. LEGETT 1804 West 6th Street From "SF-3"
105 By Georgia Legett To "LO"
NOT RECOMMENDED
DENIED

(On Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, 4-0 Vote, Mayor Cooksey, Mayor Pro Tem Trevino, and Councilmember Urdy absent)

CITY MANAGER REPORT

The City Manager Report on Austin Police Department Business Plan was presented May 24, 1988.

PUBLIC HEARING - AUSTIN CIVIC CENTER

Councilmember Shipman opened the public hearing on approving the program, site selection and funding plan for the Austin Civic Center and authorizing the project team to proceed with Site Analysis and Schematic Design. Councilmember Shipman noted that Mayor Cooksey had left the Council Chamber and would not return that evening.

People who spoke have registration cards on file in the City Clerk's office. Also, a complete transcript of the hearing is on file in the City Clerk's office.

At the close of the public hearing, Councilmember Shipman announced the hearing would be continued to June 9, 1988 at 5:00 P.M. and action would be taken at that time.

MINUTES APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, approved minutes for regular meeting of May 19, 1988 and special meeting of May 17, 1988. (4-0 Vote, Mayor Pro Tem Trevino, Councilmember Urdy and Mayor Cooksey absent)

ADJOURNMENT

Council adjourned its meeting at 7:55 P.M.