



Austin City Council MINUTES

For OCTOBER 29, 1987 - 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 presence of all Councilmembers.

MINUTES APPROVED

The Council, on Councilmember Shipman's motion, Councilmember Nofziger's second, approved minutes for regular meeting of October 22, 1987 and special meeting of October 20, 1987. (4-0 Vote, Councilmember Urdy, Mayor Pro Tem Trevino and Councilmember Humphrey out of the room)

CITIZEN COMMUNICATIONS

Mr. John Joseph withdrew his request to speak. Mr. Martin Camp discussed the West Bull Creek Interceptor. Council instructed the City Manager to instruct staff to put a resolution on the November 3, 1987 agenda to consider proposal amendments to West Bull Creek Wastewater Agreement regarding funding and size of wastewater interceptor.

OLD BUSINESS - CONSENT ORDINANCES

Item Postponed

Postponed to November 12, 1987 is consideration of amending the 1984 Capital Improvements Program by appropriating the Johnny Morris funds to the following projects: a. Braker Lane \$1,300,000; b. Brodie Lane \$683,000; c. Cameron Lane \$700,000; Spicewood Springs \$51,410, for a total of \$2,734,410.

Southwestern Bell Franchise

Passed SECOND READING ONLY of an ordinance amending the franchise agreement between the City of Austin and Southwestern Bell Telephone Company. On Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, 6-0 Vote, Mayor Pro Tem Trevino out of the room)

Zoning Ordinances

Passed through second and third readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (6-0 Vote, Mayor Pro Tem Trevino out of the room)

YAGER LANE & DESSAU	1600 Block of	From "DR"
ROAD PARTNERSHIP	Yager Lane and	to "GR" & "RR"
By Clinton P. Sayers	12000 Block of	
C14-87-122	Dessau Road	

First reading on September 24, 1987, (6-0). Councilmember George Humphrey out of room at roll call. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

C.P. OLES COMPANY	1204-B West 38th	From "LR"
C14-87-147	Street	To "CS-1"

First reading on September 24, 1987, (6-0). Councilmember Humphrey out of the room at roll call. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

COUNTY CLERK REPORT TO COUNCIL

Dana DeBeauvoir, County Clerk, reported to Council concerning polling places for the November 3, 1987 election. She said there were not suitable polling places within two precincts so she had designated sites outside of the precinct. The following motion was made:

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, instructed the County Clerk to have polling places within the precinct. (6-0 Vote, Mayor Pro Tem Trevino out of the room)

AUSTIN WASTEWATER ACTION STRATEGY

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted a resolution approving a proposed supplemental Amendment No. 2 to the Professional Services Agreement between the City of Austin and Davis L. Ford & Associates for Special Project Services for the Austin Wastewater Action Strategy. (6-0 Vote, Mayor Pro Tem Trevino out of the room)

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 all in one consent motion: (6-0 Vote, Mayor Pro Tem Trevino out of the room)

Amendment to 1987-88 CIP Budget

- a. Appropriated \$230,000.00 from the Golf Surcharge Fund for improvements to municipal golf courses. (\$200,000.00 to be used to renovate Hancock Golf Course and \$30,000.00 to be used on the remaining three City courses)

Exemption to Tap Expiration

Approved a request for an exemption to the Tap Expiration Ordinance from Mr. Frank Albrecht Jr. for 12206 West Cow Path, Austin, Texas, Lot 5, Block C, Angus Valley No. 8.

Item Postponed

Postponed to October 19, 1987 is consideration of an ordinance prohibiting glass containers in park areas and on rivers, lakes and streams.

Surcharge on Sewage Facilities

Approved establishing a \$10.00 surcharge on permit issuances for on-site sewage facilities as required by state law, effective November 1, 1987. (Funds are required to be returned to the Texas State Department of Health)

Zilker Park Roads

Approved assigning names to all unnamed roads in Zilker Park as follows: (Request submitted by the Transportation and Public Services Department)

- a. Andrew Zilker Road: From Mo-Pac Expressway in an easterly direction 3,700 feet, more or less.
- b. Columbus Drive: From proposed William Barton Drive in a westerly direction 750 feet, more or less, to existing Columbus Drive.
- c. Lou Neff Road: From Stratford Drive easterly and south-westerly to Barton Springs Road.
- d. Nature Center Drive: From Mo-Pac Expressway to Stratford Drive.
- e. Stratford Drive: From Barton Springs Road southerly to proposed Andrew Zilker Road.
- f. William Barton Drive: From proposed Andrew Zilker Road southerly and northeasterly to Barton Springs Road.
- g. Zilker Clubhouse Road: From Rollingwood Drive northerly to Zilker Club House.

Boundaries for Election Precincts

Approved an ordinance establishing boundaries of the City of Austin election precincts and related matters.

Meeting Not Cancelled

Council considered cancelling the Council Meeting scheduled for November 12, 1987, but decided not to cancel the meeting.

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, adopted the following resolutions in one consent motion: (6-0 Vote, Mayor Pro Tem Trevino out of the room)

Dedication of Land

Approved dedication of a drainageway out of a City-owned tract of land designated as P-186.

Release of Easement

Authorized release of the following easement:

- a. A 50' Overhang Electric Easement of record in Book 15, Page 42, Travis County Plat Records, located on Lot 37, Block 3, Allandale Park, Section 6, 3109 Silverleaf Drvie. (Request submitted by Mr. and Mrs. John Scott)

Eminent Domain Proceedings

Authorized Eminent Domain Proceedings to acquire the following easement for construction of improvements to the City of Austin's Wastewater System in the West Bull Creek area:

- a. Strips of land 20 feet wide and 25 feet wide containing 0.52 acre of land, including temporary working space easements totaling an additional 0.44 acre, situated in the O.Dalton Survey No. 467, Abstract 212, of Travis County, Texas, and owned by James B. and Louise H. Beard, Larry W. Langley, Trustee.

Eminent Domain Proceedings

Authorized the filing of Eminent Domain Proceedings to acquire:

- a. 5.850 acres of land of right-of-way in fee simple out of the Thomas Anderson Survey, Abstract No. 2 and the James Trammell Survey, Abstract No. 769 in Travis County, Texas from the Estate of Theodore E. Becker and Elenora Becker for the US 290 W/SH 71 Expansion Project.

- b. 0.155 acre (6,732 square feet) of land in fee simple out of the James D. Goode Survey No. 30, more particularly described as being out of and a part of Lot A, Rio Subdivision, Plat Book 87, Page 137c, Travis County, Texas from the Carpenter/Marcella Joint Venture for the U.S. Highway 183 Expansion Project.

Capital Improvements Program

Approved Amendment No. 6 to the Professional Services Agreement between the City of Austin and the Joint Venture of Espey, Huston & Associates, Inc./Engineering Science, Inc. for the 1984-87 Additional Capacity Improvements of the Ullrich Water Treatment Plant. C.I.P. No. 85/22-55.

Item Postponed

Postponed the following change order:

- a. In the amount of \$138,824.97 to Staker Paving of Texas for Airfield Improvements at Robert Mueller Municipal Airport. (4.9% increase in the original contract amount of \$2,828,719.48 - Total change orders to date equal 6.1%) C.I.P. Nos. 84/81-15, 84/81-14, 79/81-21, 79/81-19 and 72/81-99.

Change Order

Approved the following change order:

In the amount of \$51,809.84 to Staker Construction of Texas, Inc. for construction on C.D.D. #11, Street and Drainage Improvements. (4.28% increase in the original contract amount of \$1,211,270.70 - Total change orders to date equal 4.48%) C.I.P. No. 84/62-01.

Contracts Approved

Approved the following contracts:

- | | |
|--|---|
| a. HENKELS & MCCOY, INC.
4220 Justin Road
Lewisville, Texas | - CAPITAL IMPROVEMENTS PROGRAM -
Installation of Overhead Electric
Distribution Facilities for
Williamson Substation to Parmer
Lane 3-phase Reconductor, Electric
Utility Department
Total \$46,708.40 C.I.P. No.
87/14-02 |
| b. MOBIL PRODUCING TEXAS &
NEW MEXICO, INC.
Nine Greenway Plaza, Suite
2700, Houston, Texas | - Natural Gas Boiler Fuel, Electric
Utility Department
Eleven and one-half (11-1/2)
Month Supply Agreement
Total \$7,545,410.00 87-0412-OM |

License Agreement

Approved entering into the following License Agreement:

- a. To allow the placement of underground ducts to provide interconnection of state owned and maintained utilities, Manor Road and Comal Street. (Request submitted by Mr. Albert L. Schuman, P.E., on behalf of the University of Texas)

Item Withdrawn

Consideration of the consent of the Bear Creek MUD was withdrawn at the applicant's request.

IBM

Approved accepting a water and wastewater easement from IBM.

Community Human Services Needs Assessment

Entered into a contract with United Way/Capital Area for a collaborative community human services needs assessment.

Public Hearings Set

Set public hearings on the following:

- a. Annexation of the following:

- (1) Full purpose annexation of the proposed Northwest Austin MUDs 1 & 2 (Canyon Creek) area, and the 3M, Schlumberger, and Water Treatment Plant #4 sites, comprising approximately 2,308 acres. C7a-87-001: November 12, 1987 at 3:00 p.m. and November 19, 1987 at 3:00 p.m.
- (2) Limited purpose annexation at the Uplands, an area of about 3,100 acres in the Barton Creek Watershed at Hwy. 71 and RM 2244. C7ar-87-008: November 12, 1987 at 3:00 p.m. and November 19, 1987 at 3:00 p.m.

Contracts Postponed

Postponed to November 3, 1987 were consideration of two contracts:

Port Enterprises for re-roofing at Seaholm Power Plant.

Sechrist-Hall Company for re-roofing and wall repair at Brackenridge Hospital.

WATER & WASTEWATER SERVICE AREA ORDINANCE

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, passed through SECOND READING ONLY of an ordinance amending the Water and Wastewater Service Area Ordinance (810820-B) to include the Uplands. (6-0 Vote, Mayor Pro Tem Trevino out of the room) Third reading will be on November 5, 1987.

CERTIFICATES OF PARTICIPATION

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance adopting a policy for the use of Certificates of Participation. (6-0 Vote, Mayor Pro Tem Trevino not yet in attendance)

LaterMotion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Cooksey's second, reconsidered. (7-0 Vote)

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance adopting a policy for the use of Certificates of Participation. (7-0 Vote)

ZONING ORDINANCES

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, passed through second reading only of an ordinance amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes:

PEERMAN/ANDERSON
PARTNERSHIP
By Sid Sanders
C14r-86-106 &
C14r-86-107

4995-5047 U.S.
Highway 290

From "DR"
To Tract 1 "GR"
Tract 2 "RR"
Tract 3 "MF-3"
SECOND READING

Councilmember Shipman stated, "I would like to add to the second reading of the zoning, is that the requirement that an expanded geological assessment take place prior to issuance of the site development permit and the information on that assessment shall be presented to the City Council, with or without appeal."

10/29/87

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy'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:

BEN H. POWELL JR.
By R. Mayo King
C14-87-063

802,804 & 806
West Avenue

From "MF-4"
to "GO"

SECOND & THIRD READINGS

First reading on June 25, 1987, (6-0). Mayor Cooksey absent. No conditions to be met.

BONA VISTA SUBDIVISION

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, passed through third reading of an ordinance granting a Comprehensive Watershed Ordinance waiver to Bonita Vista Subdivision. (4-2-1 Vote, Mayor Cooksey and Councilmember Nofziger voted No, Councilmember Shipman abstained.

ZONING ORDINANCES

The Council, on Councilmember Shipman's motion, Mayor Cooksey's second, passed through second and third readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes with one exception, which is covered in a further motion: (7-0 Vote)

CITY OF AUSTIN
C14-85-288.L

Properties in the
Oak Hill Area Study,
within the general
vicinity of U.S. 290
and State Highway 71

From I "RR"
& I "SF-2"
SECOND & THIRD READINGS

(WITH EXCEPTION BELOW)

Motion

The Council, on Councilmember Shipman's motion, Mayor Cooksey's second, postponed Case 318 of C14-85-288.L until December 3, 1987. (4-0 Vote, Councilmember Humphrey abstained, Councilmember Urdy and Mayor Pro Tem Trevino out of the room)

The Council, on Councilmember Humphrey's motion, Councilmember Nofziger's second, approved permanent zoning and passed through second/third readings of ordinances amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (7-0 Vote)

CITY OF AUSTIN
C14-85-288.M

Properties in the Oak Hill
Area Study, within the gen-
eral vicinity of U.S. 290
and State Highway 71

From I "RR" & I "SF-2"
to "RR" & "SF-2"
PERMANENT ZONING
SECOND & THIRD READINGS

First readings on April 16, 1986. (5-0) and June 18, 1986, (7-0).
Conditions have not been met by property owners by deadline set by
City Council.

The Council, on Councilmember Shipman's motion, Councilmember
Humphrey'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: (7-0 Vote)

CITY OF AUSTIN
C14-85-288.N

Properties in the From I "RR"
Oak Hill Area & I "SF-2"
Study, within the to "RR" & "SF-2"
general vicinity of
U. S. Highway 290
and Thunderbird
Road Intersection

First readings on April 16, 1986, (5-0), April 23,
1986, (5-0), June 18, 1986, (7-0) and July 2, 1986,
(5-0). Conditions have not been met by property
owners by deadline set by City Council.

CITY OF AUSTIN
C14-85-288.O

Properties in the From I "RR"
Oak Hill Area & I "SF-2"
Study, within the to "RR" & "SF-2"
general vicinity of
U. S. Highway 290
where it intersects
Circle Drive, Thunder-
bird Road, Scenic Brook
Drive and Boling Drive.

First readings on April 16, 1986, (5-0), June 18,
1986, (7-0) and October 9, 1986, (7-0). Conditions
have not been met by property owners by deadline set
by City Council.

CITY OF AUSTIN
C14-85-288.P

Properties in the From I "RR"
Oak Hill Area & I "SF-2"
Study, within the to "RR" & "SF-2"
general vicinity of
Old Bee Caves Road
and Travis Cook Road
Intersection.

First readings on April 16, 1986, (5-0), April 19, 1986,
(7-0) and June 18, 1986, (7-0). Conditions have not been
met by property owners by deadline set by City Council.

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, passed through second reading only of an ordinance amending Chapter 13-2A of the Austin City Code (Zoning Ordinance) to cover the following changes: (4-2-0 Vote, Mayor Cooksey and Councilmember Nofziger voted No, Mayor Pro Tem Trevino abstained.) Third reading is set for November 5, 1987.

TOWNLAKE PROPERTY
JOINT VENTURE
By William Bingham
C14-84-473

43-51 Rainey
Street

From "SF-2" and "LO"
to "LO"

ZACHARY SCOTT THEATRE

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving a contract for building expansion of the Zachary Scott Theatre facility. (6-0 Vote, Councilmember Humphrey out of the room)

COMMERCIAL LEASING BROKER SERVICES

Council had before them for consideration a resolution for approval of a contract (RFP) for Commercial Leasing Broker Services.

There was a long discussion and during it the following motions were made:

Motion

Councilmember Nofziger made a motion, seconded by Mayor Cooksey, to approve staff recommendation of Alexander and Associates.

Substitute Motion - FAILED

Councilmember Humphrey made a substitute motion, seconded by Councilmember Urdy to select Sandlin after serious price negotiation. Motion FAILED by a vote of 3-4 with Councilmembers Carl-Mitchell, Nofziger, Shipman and Mayor Cooksey voting No.

Roll Call on Original Motion

6-0 Vote, Councilmember Urdy abstained.

Council decided to reconsider the motion when questions were raised concerning conflict of interest, since one of the principals of Alexander and Associates has a husband who works for the City of Austin.

Motion to Reconsider

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, voted to reconsider the motion, (5-2 Vote, Councilmembers Nofziger and Shipman voted No.)

Original Motion

Councilmember Nofziger made a motion, seconded by Mayor Cooksey to adopt a resolution approving Alexander and Associates for Commercial Leasing Broker Services.

Substitute Motion - DIED FOR LACK OF SECOND

Councilmember Humphrey made a motion to reject all bids and re-issue an RFP. Motion died for lack of a second.

Roll Call on Original Motion

5-2 Vote, Councilmembers Urdy and
Humphrey voted No.

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.

-87	DAVID BARROW	3616 Far West	From "GR"
138	INTERESTS	Boulevard, Suite	To "CS-1"
	By Barrow &	109 & 110	RECOMMENDED
	Stahl, Architects		<u>ORDINANCE PASSED ON</u>
			<u>EMERGENCY BASIS</u>

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, closed the public hearing and granted the zoning change. (4-0 Vote, Councilmember Nofziger, Shipman and Mayor Cooksey voted No.)

Motion to Reconsider

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Carl-Mitchell to reconsider. Motion passed by a vote of 6-0 with Councilmember Humphrey voting No.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, closed the public hearing, waived the requirement for three readings and finally passed the zoning change on an emergency basis. (5-2 Vote, Councilmembers Nofziger and Shipman voted No.)

-87	ICE BEAR, INC.	2211 & 2213	From "LA"
138	By Home Management	Westlake Drive	To "SF-1"
	& Investments, Inc.		RECOMMENDED
			<u>ORDINANCE</u>

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-87	LAMAR VILLAGE	3830 North Lamar	From "CS-1"
150	JOINT VENTURE		To "CS"
	By City of Austin		<u>RECOMMENDED</u>
			<u>ORDINANCE</u>
h-74	MILLICAN HOUSE	1610 West Avenue	From "LO"
004	By City of Austin		To "LO-H"
			<u>RECOMMENDED</u>
			<u>ORDINANCE</u>
h-74	THE SAN ANTONIAN	702 San Antonio	From "GO"
046	By Sam Houston		To "GO-H"
	Clinton, et al		<u>RECOMMENDED</u>
			<u>ORDINANCE</u>
h-77	CHARLES JOHNSON	2201 West 1st	From "CS"
023	HOMESTEAD	Street	To "CS-H"
	By Travis Post		<u>RECOMMENDED</u>
	No. 76, American		<u>ORDINANCE</u>
	Legion		
h-79	MARTIN HOUSE	600 West 7th	From "GO"
016	By Sam Houston	Street	To "GO-H"
	Clinton, et al		<u>RECOMMENDED</u>
			<u>ORDINANCE</u>

(On Mayor Pro Tem Trevino's motion, Councilmember Urdy's second,
6-0 Vote, Councilmember Nofziger out of the room)

h-87	BAILEY-HOUSTON	4110 Speedway	From "MF-4"
007	HOUSE		To "MF-4-H"
	By Clovis B.		<u>RECOMMENDED</u>
	Heimseth, Jr.		<u>ORDINANCE</u>

(On Councilmember Shipman's motion, Mayor Pro Tem Trevino's second,
6-0 Vote, Councilmember Urdy out of the room)

h-87	KIRBY HALL	306 West 29th	From "LO"
009	By Kirby Hall	Street	To "LO-H"
	School		<u>RECOMMENDED</u>
			<u>ORDINANCE</u>

(On Mayor Pro Tem Trevino's motion, Councilmember Urdy's second,
6-0 Vote, Councilmember Nofziger out of the room)

10/29/87

h-86 PFANNKUCHE 1508 San Antonio From "GO"
038 HOUSE To "GO-H"
By City of Austin RECOMMENDED
DENIED

(On Councilmember Carl-Mitchell's motion, Councilmember Shipman's second, 3-4 Vote, Mayor Cooksey, Mayor Pro Tem Trevino and Councilmembers Humphrey and Urdy voted No.)

h-86 FLANAGAN-HEIERMAN 3909 Avenue G From "SF-3"
021 HOUSE To "SF-3-H"
By Harrilee RECOMMENDED
Heierman ORDINANCE

-87 J. D. COCHRUM 10412 Double Spur From "DR"
130 Loop To "SF-1"
FIRST READING
RECOMMENDED subject to a minimum lot size of 1/2 acre.

(On Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, 6-0 Vote, Councilmember Nofziger out of the room.)

-87 CITY OF AUSTIN, 1610 Summit Street From "SF-3"
137 By Economic To "GO"
Development FIRST READING
International Trade
Department

RECOMMENDED subject to no access to Summit Street; "GO" uses limited to parking facility.

(On Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Urdy out of the room.)

At the same time, the following resolution was adopted:

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving a Ground Lease with Holt, Rinehar and Winston, Inc. for a parking lot at Woodland Avenue and IH 35. (6-0 Vote, Councilmember Urdy out of the room)

10/29/87

-87 WAGNER & BROWN 8000 South IH-35 From "SF-2"
 108 By Richardson To "GO"
 Verdoorn, Inc. FIRST READING

RECOMMENDED subject to the recommendations of the
 Traffic Impact Analysis; letter of credit to be posted
 at time of subdivision.

(On Mayor Pro Tem Trevino's motion, Councilmember Urdy's second,
 6-0 Vote, Councilmember Nofziger out of the room)

-87 PONCE CABLE & 1007 & 1011 From "SF-3"
 144 STEEL COMPANY Montopolis Drive To Tr. 1 "GR"
 By DRS Architects Tr. 2 "LI"
 & Planners FIRST READING

RECOMMENDED "GR" for Tract 1, limited to the following uses;
 Administrative and Business Offices, Arts and Crafts Studio
 limited, Business Support Services or Trade School,
 Communications Services, Consumer Convenience Services,
 Consumer Repair Services, Financial Services, Food Sales,
 Funeral Services, General Retail Sales (Convenience),

General Retail Sales (General), Indoor Sports and
 Recreation, Indoor Entertainment, Medical Offices, Outdoor
 Sports and Recreation, Personal Improvement Services,
 Personal Services, Pet Services, Professional Offices,
 Research Services, Restaurant (Drive In-FP), Restaurant
 (Limited), Restaurant (General), College and University
 Facilities, Communication Service Facilities, Cultural
 Services, Day Care Services, (General), Day Care Services
 (Limited), Day Care Services (Commercial), Hospital
 Services, Local Utility Services, Private Primary
 Educational Facilities, Private Secondary Educational
 Facilities, Public Primary Educational Facilities, Public
 Secondary Educational Facilities, Religious Assembly, and
 Safety Services. Conditional Uses: Outdoor Entertainment,
 Club or Lodge, Hospital Services (General), and Parking
 Facilities. Grant "LI" for Tract 1, limited to the
 following uses: Administrative and Business offices, Arts
 and Craft Studio (Limited), Arts and Crafts Studio
 (General), Arts and Craft Studio (Industrial), Building
 Maintenance Services, Business Support Services, Business
 or Trade School, Communications Services; Construction
 Sales and Services, Financial Services, Food Sales, General
 Retail Sales (Convenience), General Retail Sales (General),
 Laundry Services; Medical Offices, Personal Improvements
 Services, Personal Services, Professional Offices, Research
 Services, Custom Manufacturing, Light Manufacturing,
 Limited Warehousing and Distribution, Communication Service
 Facilities, Cultural Services, Maintenance and Service
 Facilities, Religious Assembly, and Safety Services.

On Councilmember
 Shipman's motion,
 Mayor Pro Tem Tre-
 vino's second,
 7-0 Vote.

10/29/87

r-87 NORTH INTERCHANGE 8627 North Mopac
 131 ASSOCIATES Expressway
 By Joe R. Wyman

From "LO"
 To "LR"
FIRST READING

RECOMMENDED "LR" zoning limited to a 9,005 square foot footprint within the existing building, limited to financial services use only, and all other uses permitted in the "LO" zoning district.

Motion

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Humphrey to approve "LR", tied to conditions recommended by the City's Transportation staff and supported by the applicant.

Mayor Pro Tem Trevino also said "Emergency Passage". Tracy Watson, OLDS, said "I do not believe we can do emergency passage because of some of the things, including an erroneous legal description."

Andy Martin, Assistant City Attorney, said, "We will have to bring this back when we have a legal description with the ordinance."

Councilmember Shipman stated, "As a part of the ordinance, let's incorporate those transportation standards that are being recommended by our staff and are supported by the applicant."

Roll Call on Motion

7-0 Vote

-87	SAS INSTITUTE,	100 feet along the	From "DR"
126	INC.	North side of Parke	To "R" & "D"
	By Land Concepts	Avenue	<u>FIRST READING</u>

RECOMMENDED subject to the following conditions: Phasing Agreement, post fiscal for roadway improvements as set out by Transportation Review's memorandum of September 17, 1987, limited development on the entire 80-acre tract to 300,000 square feet of buildings, limit impervious coverage over the entire 80-acre tract to 40%, provide staff with legal description so the remainder (approximately 25 acres) can be zoned R & D, ~~and the zoning indicated by the plan~~ (deleted) limit building heights to three (3) stories or forty feet (40'). When subdivision is before Planning Commission for the entire 80-acre tract, applicant agrees to: Provide planned development agreement for Planning Commission information and review, provide site plan for entire 80-acre tract for Planning Commission information and

review. That "R" & "D" on this 54.967 acre tract will not be finalized until: PDA is approved by City Council, Site Plan has been administratively approved on the entire 80-acre tract and "R" & "D" zoning is approved on the remaining 25 acres (approximately)

(On Councilmember Shipman's motion, Councilmember Humphrey's second.
6-0 Vote, Mayor Pro Tem Trevino out of the room)

r-87	CAMERON OAKS	7517 Cameron Road	From "GR"
148	JOINT VENTURE		To "CS-1"
	By Phil H. Scott,		<u>FIRST READING</u>
	Jr.		

RECOMMENDED "CS-1" based on Conditional Use Permit findings of fact and working out procedural details to shared parking prior to City Council action.

(On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, 5-0 Vote, Councilmembers Humphrey and Urdy out of the room)

r-87	ENTERPRISE JOINT	9207 U.S. Hwy. 290	From "DR"
140	VENTURE	East	To "GR"
	By Paul Bury		<u>FIRST READING</u>

RECOMMENDED "GR", approved all waivers, subject to ordinance requirements.

(On Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, 6-0 Vote, Councilmember Nofziger out of the room)

-87	TOM W. BRADFIELD	3400 Northland	From "SF-3"
136	& DONALD H.		To "NO"
	CUMMINS		<u>DENIED</u>
	By Kristaponis		
	Gregory & Assoc,		
	Inc.		

RECOMMENDED "NO" subject to a restrictive covenant, enforceable by the City of Austin and surrounding property owners within 1,000 feet, limiting the uses to Business and Administrative Offices only and limiting any redevelopment to one-story. This restrictive covenant to be incorporated into the "restrictive

overlay" if that district is approved by the Council. Also recommended that the City Council not waive the right-of-way dedication but require the owners to place the required right-of-way in an escrow deed as was done on another case across Northland Drive during a site plan review.

(On Councilmember Shipman's motion, Councilmember Nofziger's second, 4-3 Vote, Councilmember Urdy, Mayor Pro Tem Trevino, Councilmember Humphrey voted No.)

-86	GRACE COVENANT	9500 Research	From "SF-3"
182	CHURCH	Boulevard	To Tr. 1 "GO"
	By Jim Nias		Tr. 2 "MF-2"

FIRST READING WITH REVISED
CONDITIONS

RECOMMENDED subject to limiting access to Jollyville Road and tied to the conceptual site plan submitted September 30, 1987, but providing for modifications to this site plan in order to comply with all ordinance requirements at time of site plan submission, limiting the height of all buildings to 40 feet excepting the Church steeple, and requiring that no additional day-time uses be added unless additional on-site parking is provided. Access to U.S. 183 shall be prohibited unless such access is shown on a site plan which complies with section 5107 of Chapter 13-2A.

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

r-87	MR. & MRS. R. L	1115 I-35 South	From "LO", "LR", "GO"
139	WYATT	1401, 1405, 1425	& "SF-3"
	By Carole Keeton	E. Riverside Drive	To "GR-MU"
	Rylander		RECOMMENDED

TRACT 1 - "GR-MU"
BALANCE - "SF-6"
FIRST READING

RECOMMENDED "GO" for all tracts except portion of tract 1 (5000 sq. ft.) to remain "LR" and Tract 4 (0.28 acre as shown on staff map) to remain "SF-3", with conditions: No pedestrian or vehicular access to Manlove Street and provide 6' privacy fence with buffer as described by applicant's Exhibit B.

Motion

Councilmember Humphrey made a motion, seconded by Councilmember Urdy to grant "GR-MU" on Tract 1&2, and "SF-3" on Tract 4.

Mayor Cooksey suggested the motion be separated.

Motion

Councilmember Humphrey made a motion, seconded by Councilmember Urdy to grant zoning as recommended by staff, Tract 1, "GR-MU". Motion passed by a voted of 4-3 with Councilmembers Shipman, Carl-Mitchell and Nofziger voting No.

Motion - WITHDRAWN

Councilmember Humphrey made a motion, seconded by Councilmember Urdy to zone the rest "GR-MV" except "SF-3" on Tract 4. (Later, Councilmember Humphrey withdrew his motion, making the following substitute motion the original motion)

Substitute Motion - (Which became Original Motion when Councilmember Humphrey withdrew the above motion)

The Council, on Mayor Cooksey's motion, Councilmember Nofziger's second, zoned the balance of the property "SF-6". (4-3 Vote, Mayor Pro Tem Trevino, Councilmember Shipman and Councilmember Urdy voted No.)

Substitute Motion - FAILED (This was the substitute motion when the above substitute motion became the main motion)

Councilmember Urdy made a motion, seconded by Councilmember Humphrey to zone Tract 2 "LR" (which is Tract 3 & 4 on the applicant's map). Motion Failed by a vote of 3-4 with Councilmember Carl-Mitchell, Nofziger, Shipman and Mayor Cooksey voting No.)

AMENDMENTS TO RESTRICTIVE COVENANTS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted resolutions approving amendments to restrictive covenants as follows: (6-0 Vote, Councilmember Nofziger out of the room)

a. Recommended by the Planning Commission, As Requested:

- | | | | | |
|-----|-----|-----------------|---------------------|--------------|
| (1) | -84 | REALTEX FUNDING | 5716-6208,6817-7017 | Amendment to |
| | 269 | CORP. | 7110-7313 Convict | Restrictive |
| | | By Jack Morton | Hill Road | Covenant |
| (2) | -85 | REALTEX FUNDING | 8000 Block Convict | Amendment to |
| | 283 | CORP. | Hill Road | Restrictive |
| | | By Jack Morton | | Covenant |

EXECUTIVE SESSION

In the midst of the zoning hearings, Mayor Cooksey 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 matters 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
- b. Overton et al v. City of Austin
- c. Water Treatment Plant #4

2. Land Acquisition - Section 2, Paragraph f

- a. Tips Warehouse

RECESS

Council recessed its meeting for executive session from 6:02 to 6:45 p.m.

ITEMS POSTPONED

Postponed to November 3, 1987 is consideration of approval of Supplemental Amendment No. 5 to the Professional Services Agreement between the City of Austin and Espey, Huston & Associates, Inc., related to design phase services for the South Austin Outfall Relief Main, Phase II, for the Water and Wastewater Utility C.I.P. No. 86/23-31.

TIPS WAREHOUSE

A resolution concerning the Tips Warehouse will be considered on November 3, 1987.

WATER FOR GOLF COURSE AT DECKER LAKE

Councilmember Humphrey introduced an item to Council and discussion of providing water for the proposed golf course at Decker Lake.

CITY FINANCIAL COUNSEL

Motion

The Council, on Councilmember Shipman's motion, Councilmember Urdy's second, approved rejecting the RFP for City Financial Counsel and moving forward with the process. (4-1-0 Vote, Councilmember Nofziger voted No, Councilmembers Humphrey and Carl-Mitchell abstained)

ITEM POSTPONED

Postponed to 11/3/87 was consideration of approving supplemental Amendment No. 5 to professional services agreement between the City of Austin and Espey Huston & Associates, Inc., related to design phase services for the South Austin Outfall Relief Main, Phase II, for the Water and Wastewater Utility. C.I.P. No. 86/23-31.

CITY MANAGER REPORTS

City Manager Reports were postponed to 11/3/87.

NO ACTION ON ITEMS

No action was taken on Gilbane Update, nor the Corps of Engineers Presentation.

ADJOURNMENT

Council adjourned its meeting at 1:00 a.m. October 30, 1987.