



**Thursday, April 16, 2015**

The Austin City Council will convene at 10:00 AM on  
Thursday, April 16, 2015 at Austin City Hall  
301 W. Second Street, Austin, TX



**Mayor Steve Adler**  
**Mayor Pro Tem Kathie Tovo, District 9**  
**Council Member Ora Houston, District 1**  
**Council Member Delia Garza, District 2**  
**Council Member Sabino “Pio” Renteria, District 3**  
**Council Member Gregorio Casar, District 4**  
**Council Member Ann Kitchen, District 5**  
**Council Member Don Zimmerman, District 6**  
**Council Member Leslie Pool, District 7**  
**Council Member Ellen Troxclair, District 8**  
**Council Member Sheri Gallo, District 10**

For meeting information, contact the City Clerk, (512) 974-2210

*The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.*

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

**9:55 AM – Invocation--Rev. Tom Mitchell, St. Andrew's Presbyterian Church**

**Special Presentation**

**Address by Adrian Farrell, Irish Consul General**

**10:00 AM – City Council Convenes**

**Consent**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council special called meeting of March 30, 2015, work session of March 31, 2015 and regular meeting of April 2, 2015.

**Purchasing Office**

2. Authorize award and execution of a contract with TEXAS AIRSYSTEMS, LLC. for the purchase of heat exchangers for Austin Energy in an amount not to exceed \$540,031.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )

**Transportation**

3. Approve an ordinance amending City Code Chapter 13-2 relating to requirements for transportation charter services.

**Item(s) from Council**

4. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members.
5. Approve a resolution rescinding an appointment to the Commission on Immigrant Affairs.  
( Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Ora Houston CO 2: Council Member Sabino "Pio" Renteria CO 3:

Council Member Delia Garza )

**Item(s) to Set Public Hearing(s)**

6. Set a public hearing regarding Texas Gas Service's proposal to increase customer's gas rates. (Suggested date and time May 21, 2015; 4:00 p.m. at City Hall; 301 W. Second Street, Austin, TX)
7. Set a public hearing to consider an application to be submitted to the Texas Department of Housing and Community Affairs by Harris AAHCLDG, LP, for a proposed affordable multi-family senior development to be called the Harris Branch Senior, located at 12331 Dessau Road. (Suggested date and time: April 23, 2015 beginning at 4 p.m. at Austin City Hall, 301 W. Second Street, Austin TX)
8. Set a public hearing to consider an application to be submitted to the Texas Department of Housing and Community Affairs by Reserve at Springdale, LP, for a proposed affordable multi-family development to be called the Reserve at Springdale, located at 5601 Springdale Road. (Suggested date and time: April 23, 2015 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin TX)

**Non-Consent**

**10:00 AM - Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

9. C14-2014-0041 - New Tenant Project - (District 6) - Approve second and third readings of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 10300 Anderson Mill Road (Lake Creek Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning. First Reading approved on February 12, 2015. Vote: 11-0. Owner: NZ Lands, Inc. (Zulfiqar Ali Prasla). City Staff: Sherri Sirwaitis, 512-974-3057.
10. C14-2014-0053 - Walnut Park Crossing - (District 7) - Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 12304 Walnut Park Crossing and 12101 North Lamar Boulevard (Walnut Creek Watershed) from limited office (LO) district zoning to multi-family residence-low density (MF-2) district zoning. First Reading approved on June 26, 2014. Vote: 6-0, Council Member Martinez was off the dais. Owner/Applicant: WP Walnut Park GR, LLC a General Partner of Walnut Park, LTD. (Larry Peel). Agent: Civile, LLC (Lawrence M. Hanrahan). City Staff: Sherri Sirwaitis, 512-974-3057.
11. C14-2014-0114 – 11712 North Lamar Rezoning – (District 7) – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11712 North Lamar Boulevard

(Walnut Creek Watershed) from limited office (LO) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. First Reading approved on February 26, 2015. Vote: 9-2, Mayor Pro Tem Tovo and Council Member Renteria voted nay. Owner: Sheahan Business Center (Dennis W. Sheahan). Applicant/Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

12. C14-2014-0157 - 8528 Burnet Road - (District 7) - Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 8528-8600 Burnet Road and 8647 Rockwood Lane (Shoal Creek Watershed) from general commercial services (CS) district zoning to multi-family residence-highest density-conditional overlay (MF-6-CO) combining district zoning. First Reading approved on February 12, 2015. Vote: 7-4, Mayor Pro Tem Tovo and Council Members Houston, Kitchen and Pool voted nay. Owner/Applicant: Robert L. Crump and Gordon Automotive (Charles M. Gordon). Agent: Bowman Consulting Group (R. Dave Irish, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.
13. C14-2014-0199 - Lakeline Plaza-Total Wine & More - (District 6) - Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11066 Pecan Park Boulevard (Lake Creek Watershed) from general commercial services (CS) district zoning to commercial-liquor sales (CS-1-CO) combining district zoning. First Reading approved on March 12, 2015. Vote: 9-0, Council Member Renteria was off the dais, Council Member Gallo was absent. Owner: Nathan-Jeffrey LLC & Jefan Trust. Applicant/Agent: Armbrust & Brown (Eric deYoung). City Staff: Sherri Sirwaitis, 512-974-3057.

#### **10:00 AM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

14. NPA-2014-0009.01 - Waller on Swede Hill - (District 1) - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-41, the Central East Austin Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 908 East 15th Street, 807 East 16th Street, 1506 Waller Street (Waller Creek Watershed) from Multifamily and Single Family land use to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To deny Mixed Use land use. Owner/Applicant: WJP Swede Hill, L.L.C. (Wes Peoples). Agent: Kenneth T. Blaker. City Staff: Maureen Meredith, 512-974-2695.
15. C14-2015-0006 - Waller on Swede Hill - (District 1) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 908 East 15th Street, 807 East 16th Street, and 1506 Waller Street (Waller Creek Watershed) from family

residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning and limited office-mixed use-historic landmark-neighborhood plan (LO-MU-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning and family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Owner/Applicant: WJP Swede Hill, LLC (Wes Peoples). Agent: Morzie DCI (Kenneth Blaker). City Staff: Heather Chaffin, 512-974-2122.

16. NPA-2014-0016.01 - 2nd and Broadway - (District 3) - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 203 Broadway Street and 2901 E. 3rd Street (Colorado River Watershed) from Single Family to Mixed Use land use. Staff Recommendation: To grant Higher Density Single Family land use. Planning Commission Recommendation: To grant Higher Density Single Family land use. Owners/Applicants: McAdam's Enterprises, L.L.C. (Casey McPherson). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Maureen Meredith, (512) 974-2695.
17. C14-2014-0115 - 2nd and Broadway - (District 3) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 203 Broadway Street and 2901 East 3rd Street (Colorado River Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant urban family residence-neighborhood plan (SF-5-NP) combining district zoning. Planning Commission Recommendation: To grant urban family residence-neighborhood plan (SF-5-NP) combining district zoning. Owner/Applicant: McAdams Enterprises, LLC (Casey McPherson). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122.
18. C14-2014-0096 - Wildhorse Commercial Tract 1 (125.570 acres) - (District 1) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning and rezoning property locally known as 9701 East Parmer Lane (Gilleland Creek Watershed) from interim-rural residence (I-RR) district zoning and planned unit development (PUD) district zoning to commercial highway services (CH) district and planned unit development (PUD) district zoning. Staff Recommendation: To grant commercial highway services-conditional overlay (CH-CO) combining district zoning and planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To grant commercial highway services-conditional overlay

(CH-CO) combining district zoning and planned unit development (PUD) district zoning. Owner: Butler Family Partnership (Edward A. Butler). Agent: Drenner Group (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122.

19. C14-2014-0136 - Cameron Apartments - (District 1) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 9201 Cameron Road (Little Walnut Creek Watershed) from limited industrial services (LI) district zoning to multi-family residence-high density (MF-5) district zoning. Staff Recommendation: To deny multi-family residence-high density (MF-5) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner: FSI Cameron Crossing, LP (Philip Capron). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122.
20. C14-2014-0150 - Whiddon .85 - (District 5) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4102 Manchaca Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to limited office-mixed use (LO-MU) combining district zoning, as amended. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Planning Commission Recommendation: To deny neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Owner/Applicant: Mitchell Whiddon. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Jerry Rusthoven, 512-974-3207.
21. C14-2014-0167 - Cantarra Mixed Use - (District 1) - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 13007 Cantarra Drive (Harris Branch Watershed) from interim-rural residence (I-RR) district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Owner: Michael Jeter. Applicant/Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057.
22. C14-2014-0171 - MLK Rezone - (District 1) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2927 East Martin Luther King, Jr. Boulevard (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant urban family residence-conditional overlay-neighborhood plan (SF-5-CO-NP) combining district zoning. Planning Commission Recommendation: To grant urban family residence-conditional

overlay-neighborhood plan (SF-5-CO-NP) combining district zoning. Owner: Amos413 Ventures, LLC (Jonathan Klaus). Agent: Perales Engineering (Jerome Perales). City Staff: Heather Chaffin, 512-974-2122.

23. C14-2014-0175A - Scott Airport Parking - (District 2) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 2426 Cardinal Loop (Colorado River Watershed) from interim-rural residence (I-RR) district zoning to aviation services (AV) district zoning. Staff Recommendation: To grant aviation services (AV) district zoning. Zoning and Platting Commission Recommendation: To grant aviation services (AV) district zoning. Owner/Applicant: City of Austin-Aviation Department (Jim Smith). Agent: Scott Airport Parking, LLC (Chris Von Dohlen). City Staff: Wendy Rhoades, 512-974-7719.
24. C14-2014-0175B - Scott Airport Parking - (District 2) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2411 and 2419 Cardinal Loop; 2525 East State Highway 71 Westbound (Colorado River Watershed) from rural residence (RR) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to aviation services (AV) district zoning. Staff Recommendation: To grant aviation services (AV) district zoning. Zoning and Platting Commission Recommendation: To grant aviation services (AV) district zoning. Owner/Applicant: City of Austin-Aviation Department (Jim Smith). Agent: Scott Airport Parking, LLC (Chris Von Dohlen). City Staff: Wendy Rhoades, 512-974-7719.
25. C14-2014-0176 - Cuellar Rezoning - (District 3) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 617 Thrasher Lane (Country Club East Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to single-family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning. Staff Recommendation: To grant single-family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning. Planning Commission Recommendation: To grant single-family residence-small lot-conditional overlay-neighborhood plan (SF-4A-CO-NP) combining district zoning. Owner/Applicant: Eddie Sanchez, Naomi Cuellar Sanchez, Susan G. Garza. Agent: I.T. Gonzalez Engineers (Bill Graham). City Staff: Tori Haase, 512-974-7691.
26. C14-2015-0011 - Westover Hills Club, Inc. - (District 7) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 8706 and 8800 Westover Club Drive (Bull Creek Watershed) from family residence (SF-3) district zoning to commercial recreation-conditional overlay (CR-CO) combining district zoning. Staff Recommendation: To grant commercial recreation-conditional overlay (CR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial recreation conditional

overlay (CR-CO) combining district zoning. Owner: President of Westover Hills Club, Inc. (Evan Rowe). Applicant/Agent: Metcalfe Wolff Stuart & Williams (Michele R. Lynch). City Staff: Sherri Sirwaitis, 512-974-3057.

27. C14-2015-0013 - 2363 Seventy One - (District 2) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 2363 East State Highway 71 Westbound (Colorado River Watershed) from interim-rural residence (I-RR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services (CS) district zoning. Owner/Applicant: Mohammad Mokri; Javad Oskouipour. Agent: Paul E. Kennedy. City Staff: Wendy Rhoades, 512-974-7719.
28. C14-2015-0021 - 4525 South Interstate Highway 35 - (District 2) - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4525 South IH 35 Service Road Northbound (Williamson Creek Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Owners/Applicants: Duke M. Covert; 1982 Rox B. Covert Children Trusts; Kenneth Ryan Covert; Cory Brown Covert; Rox B. Covert; Kimberly Carol Covert 1982 Trust; Martha Carol Covert Crowley; Courtney C. Elliott; Frank M. Covert, III; JP Morgan Chase Bank, N.A.; Frank M. Covert; Dan Carlson Revocable Trust Dated December 31, 2007; Kathryn Conway Covert; Gary Elizabeth Covert Baggett; Chance Cottingham Covert. Agent: Metcalfe, Wolff, Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Wendy Rhoades, 512-974-7719.

#### **10:00 AM - Public Hearings and Possible Action**

29. Conduct a public hearing and consider an ordinance amending Title 25 of the City Code regarding adult-oriented businesses.

#### **12:00 PM - Citizen Communications: General**

Sharon Blythe - City Issues

CAROLANNROSEKENNEDY - DOMESTIC VIOLENCE: LUCILLE HER SONG

Sylvia Servin - Traffic problems

Carlos León - 1) Greatest glory to GOD, Jesus Christ, and the Holy Spirit 2)

Clean air for Austin requires zero chemtrail air for Austin 3) Losing your marbles - Part VI

Monica Hernandez Mota - It's time for a change.

Phil Thomas - Historic zoning and landmark designation

Robert Youens - Statement by Chief Acevedo regarding restrictions on flying remote-controlled aircraft.

### **Executive Session**

30. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
31. Discuss legal issues related to United Motorcoach Association, Inc. v. City of Austin, Cause No. A-13-CA-1006-SS, in the United States District Court for the Western Division of Texas (Private consultation with legal counsel- Section 551.071).

### **1:00 PM - Public Hearings and Possible Actions**

32. Conduct a public hearing and consider citizen input on community needs concerning the City's Fiscal Year 2015-2016 Action Plan and Community Development Program, as required by the U.S. Department of Housing and Urban Development and Texas Local Government Code, Chapter 373.

### **Adjourn**

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

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A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.