



**AUSTIN CITY COUNCIL  
MINUTES**

**REGULAR MEETING  
THURSDAY, JUNE 11, 2015**

**Invocation:** Pastor Tom VandeStadt, Congregational Church of Austin

**The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, June 11, 2015 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.**

**Mayor Adler called the Council Meeting to order at 10:23 a.m.**

**CONSENT AGENDA**

**The following items were acted on by one motion.**

1. Approve the minutes of the Austin City Council work session of June 2, 2015, special called meeting of June 3, 2015 and regular meeting of June 4, 2015.  
**The minutes from the City Council work session of June 2, 2015, special called meeting of June 3, 2015 and regular meeting of June 4, 2015 were approved on consent on Council Member Zimmerman’s motion, Council Member Renteria’s second on an 11-0 vote.**
2. Authorize negotiation and execution of a lease with Highstar Capital IV, L.P. for up to 30 acres of land at Austin-Bergstrom International Airport to improve, operate, and maintain an ultra-low cost airport terminal for a 30-year term with two 5-year extension options.  
**This item was postponed on consent to June 18, 2015 on Council Member Zimmerman’s motion, Council Member Renteria’s second on an 11-0 vote.**

**Item 3 was pulled for discussion.**

4. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple the property located at 11701 Charing Cross Road, in the Barrington Oaks Subdivision, from Dolores Firth and Rodney Firth, in an amount not to exceed \$328,000, subject to the guidelines of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and related federal regulations, and waiving the requirements of City Code Chapter 14-3.  
**Ordinance No. 20150611-004 was approved on consent on Council Member Zimmerman’s motion, Council Member Renteria’s second on a 10-0 vote. Council Member Zimmerman abstained.**
5. C7a-2015-0004 - LES Burleson - Approve an ordinance to terminate the Helen Boothe et al Annexation and Development Agreement (Original Agreement) concerning annexation and development of the Boothe Tract, also known as the LES Burleson annexation area, and to annex the LES Burleson area for full purposes (approximately 13.2 acres in southern Travis County south of Burleson Road,

approximately 870 feet east of the intersection of Burluson Road and Smith School Road; contiguous to Council District 2).

**Ordinance No. 20150611-005 was approved on consent on Council Member Zimmerman’s motion, Council Member Renteria’s second on a 10-0 vote. Council Member Zimmerman abstained.**

- 6. Approve an ordinance amending Ordinance No. 041104-042 to correct an error in calculation for the maximum number of residential units per acre, for property located at 11108 Zimmerman Lane (District 6).

**Ordinance No. 20150611-006 was approved on consent on Council Member Zimmerman’s motion, Council Member Renteria’s second on an 11-0 vote.**

- 7. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members.

**The following appointments and waivers were approved on consent on Council Member Zimmerman’s motion, Council Member Renteria’s second on an 11-0 vote.**

**Nominations**

**Board/Nominee**

**Nominated by**

Building & Standards Commission  
Matthew Gonzales

Council Member Casar

Building & Standards Commission  
Stanley Martin

Council Member Troxclair

Building & Standards Commission- Panel 2  
Brian Talley

Council Member Troxclair

Commission on Immigrant Affairs  
Kevin Countie

Council Member Zimmerman

Commission on Seniors  
Dan Pruett

Mayor Adler

Commission on Veterans Affairs  
Nicholas Van Zandt

Mayor Adler

Design Commission  
Aan Coleman

Council Member Troxclair

Early Childhood Council  
Cathy Doggett

Mayor Adler

Early Childhood Council  
Sebastian Wren

Council Member Casar

Electric Board  
David Johnson

Council Member Troxclair

**REGULAR COUNCIL MINUTES**

**THURSDAY, JUNE 11, 2015**

Electric Utility Commission  
Stefan Wray

Council Member Renteria

Environmental Commission  
Michael Moya

Council Member Zimmerman

Environmental Commission  
Hank Smith

Council Member Troxclair

Hispanic/Latino Quality of Life  
Resource Advisory Commission  
Andrea Guerra

Council Member Houston

Library Commission  
Aimee Finney

Council Member Garza

Mexican American Cultural Center Advisory Board  
Kathy Vale Castillo

Mayor Adler

MBE/WBE and Small Business Enterprise  
Procurement Program Advisory Committee  
Mark Madrid

Council Member Casar

Music Commission  
Christopher Baker

Council Member Troxclair

Parks & Recreation Board  
Richard DePalma

Mayor Adler

Parks & Recreation Board  
Pat Wimberly

Council Member Zimmerman

Public Safety Commission  
Daniela Nunez

Council Member Casar

Public Safety Commission  
Brian Haley

Council Member Troxclair

Sustainable Food Policy Board  
Dustin Fedako

Mayor Adler

Sustainable Food Policy Board  
Adrienne Haschke

Mayor Adler

Urban Transportation Commission  
Kelly Davis

Council Member Pool

Urban Transportation Commission

Chris Hosek

Council Member Troxclair

Water & Wastewater Commission

Chien Lee

Council Member Casar

Zero Waste Advisory Commission

Kaiba White

Council Member Pool

Zoning & Platting Commission

Gabriel Rojas

Council Member Casar

Zoning & Platting Commission

Ann Denkler

Council Member Pool

Zoning & Platting Commission

Sunil Lavani

Council Member Troxclair

**Waivers**

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Chris Hosek on the Urban Transportation Commission.

- 8. Approve an ordinance authorizing payment of certain costs for a rally at the Texas State Capitol to commemorate the 100th anniversary of the Armenian Genocide sponsored by the Armenian Church of Austin which was held on Saturday, April 18 at the Texas State Capitol building. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Leslie Pool CO 2: Council Member Delia Garza CO 3: Council Member Sabino "Pio" Renteria)

**Ordinance No. 20150611-008 was approved on consent on Council Member Zimmerman’s motion, Council Member Renteria’s second on an 11-0 vote.**

- 9. Approve an ordinance waiving or reimbursing fees for the GirlForward summer camp at the Asian American Resource Center from June 9, 2015 through July 31, 2015 for adolescent refugee girls who have been resettled in the United States. (Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Gregorio Casar CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo)

**Ordinance No. 20150611-009 was approved on consent on Council Member Zimmerman’s motion, Council Member Renteria’s second on an 11-0 vote.**

- 10. Approve a resolution creating an Austin-Travis County Intergovernmental Working Group to make recommendations regarding a location, governance structure and funding plan for a sobering center and directing the City Manager to return to Council for approval of funding to be incorporated in the Fiscal Year 2016 budget sufficient to advance progress toward establishing a sobriety center. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Sheri Gallo CO 2: Council Member Gregorio Casar CO 3: Council Member Ann Kitchen)

**This item was postponed on consent to June 18, 2015 on Council Member Zimmerman’s motion, Council Member Renteria’s second on an 11-0 vote.**

**Items 11 through 13 were pulled for discussion.**

Items 14 through 43 were zoning items set for 10:00 a.m.

Item 44 was a briefing item set for 10:00 a.m.

Items 45 through 48 were Executive Session items.

Items 49 and 50 were public hearing items set for 2:00 p.m.

**ZONING ORDINANCES, RESTRICTIVE COVENANTS AND NEIGHBORHOOD PLAN AMENDMENTS**

**The following zoning items were acted on by one motion. No separate action occurred on any of the items.**

14. C14-2014-0167 - Cantarra Mixed Use - District 1 - Approve second and third readings of an ordinance amending City Code Chapter 25-2 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. First Reading approved on April 16, 2015. Vote: 11-0. Owner: Michael Jeter. Applicant/Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057.  
**Ordinance No. 20150611-014 for neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
  
19. NPA-2015-0002.01 - Rebekah Baines Johnson (RBJ) Center - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 990513-70, the East Cesar Chavez 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 21 Waller Street (Lady Bird Lake Watershed) from Multifamily land use to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner: Austin Geriatric Center, Inc. (Clarke Hendrick). Agent: City of Austin, Planning and Zoning Department (Maureen Meredith). City Staff: Maureen Meredith, 512-974-2695.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-019 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
  
20. C14-2015-0055 - Rebekah Baines Johnson (RBJ) Center - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 21 Waller Street (Lady Bird Lake Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner/Applicant: Austin Geriatric Center Inc. (Clarke Heidrick). Agent: Capital Project Management (Dave Stauch). City Staff: Heather Chaffin, 512-974-2122.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-020 for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

21. NPA-2015-0019.01 - 919 West 29th - District 9 - Approve an ordinance amending Ordinance No. 040826-056, the Central Austin 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 919 West 29th Street (Shoal Creek Watershed) from Single Family land use to Mixed Use/Office land use. Staff Recommendation: To grant Mixed Use/Office land use. Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: Clay C. Duckworth. Agent: Land Use Solutions, LLC (Michele Haussmann). City Staff: Maureen Meredith, 512-974-2695.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-021 to change the land use designation on the future land use map (FLUM) to Mixed Use/Office land use was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
22. C14-2015-0024 - 919 West 29th - District 9 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 919 West 29th Street (Shoal Creek Watershed) from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. Staff Recommendation: To grant general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. Owner/Applicant: Duckworth Property Holdings, LLC (Clay Duckworth). Agent: Land Use Solutions (Michele Haussmann). City Staff: Tori Haase, 512-974-7691.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-022 for general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
23. 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 general commercial services-mixed use (CS-MU) combining district zoning, as amended. Staff Recommendation: To deny general commercial services-mixed use (CS-MU) combining 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.  
**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
24. 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.  
**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning was approved with the following conditions and prohibited and permitted uses on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

Conditions

- Limit development on the property to less than 500 trips per day

Prohibited uses

- Drive in services
- Communication services, convalescent services, cultural services, personal services and medical office uses
- Short-term rentals
- Food service businesses
- Residential treatment, telecommunication tower and service station uses
- Multi-family residential use and limit the site to a maximum of two residential units.

Permitted uses

- Vehicle entrance from Manchaca Rd. with no entrance from Gathright Cove

25. C14-2014-0172 - Cottages of Lantana - District 8 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5610 and 5804 Wier Hills Road (Williamson Creek Watershed-Barton Springs Zone) from limited office-neighborhood plan (LO-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Owner/Applicant: EuroAmerican Holdings, Ltd. (Jean Pelissero); Janet Wier Rourke; Linda Kay Wier. Agent: Smith, Robertson, Elliott & Douglas, L.L.P. (Mary Stratmann). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-025 for townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

26. C14-85-288.36(RCA) - Cottages of Lantana - District 8 - Conduct a public hearing to amend a restrictive covenant on property locally known as 5804 Wier Hills Road (Williamson Creek Watershed-Barton Springs Zone). Staff Recommendation: To grant the restrictive covenant amendment. Planning Commission Recommendation: To grant and amendment to the restrictive covenant. Owner/Applicant: EuroAmerican Holdings, Ltd. (Jean Pelissero). Agent: Smith, Robertson, Elliott & Douglas, L.L.P. (Mary Stratmann). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt amendment to the restrictive covenant was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

27. C14-2014-0198 - One Two East - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1109, 1105 and 1107 North IH 35 Service Road Northbound (Waller Creek Watershed) from general commercial services-neighborhood conservation-neighborhood plan (CS-NCCD-NP) combining district zoning to general commercial services-neighborhood conservation-neighborhood plan (CS-NCCD-NP) combining district zoning, to change a condition of zoning for Tract 1, and from commercial-liquor sales-neighborhood conservation-neighborhood plan (CS-1-NCCD-NP) combining district zoning to commercial-liquor sales-neighborhood conservation-neighborhood plan (CS-1-NCCD-NP) combining district zoning, to change a condition of zoning for Tract 2. Staff Recommendation: Pending. Planning Commission

Recommendation: To grant an indefinite postponement. Owner: JH West 12th Street Partners, Ltd. (Haythem Dawlett). Agent: Drenner Group (Stephen Rye). City Staff: Heather Chaffin, 512-974-2122.

**This item was postponed indefinitely on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.)**

28. C14-2015-0008 - 2130 Goodrich Ave - District 5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2130 Goodrich Avenue (West Bouldin Creek Watershed) from general commercial services (CS) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner/Applicant: Jack Holt. Agent: Peter Sebesta. City Staff: Tori Haase, 512-974-7691.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-028 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

29. C14-2015-0010 - 11310 Manchaca Road - District 5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11310 Manchaca Road (Slaughter Creek Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning and limited office-conditional overlay (LO-CO) combining district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 2. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use (LO-MU) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use (LO-MU) combining district zoning for Tract 2. Owner: KC 4 Manchaca LP (John P. Cummings, Jr.). Applicant: Wolfpack Group, LLC (Louis Wolfson, III). Agent: Drenner Group, PC (Dave Anderson). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-029 for neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use (LO-MU) combining district zoning for Tract 2 was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

30. C14-2015-0015 - Sunset Trail Residences - District 5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4704, 4706, 4800 and 4802 Sunset Trail (Williamson Creek Watershed) from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-low density-neighborhood plan (MF-2-NP) combining district zoning. Staff Recommendation: To grant townhouse & condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning. Owner/Applicant: Sunset Ventures, LP (Michael Young). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-030 for multi-family residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning was approved with an additional condition of 55%**

**impervious cover on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

31. C14-2015-0019 - 5306 Samuel Huston - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5306 Samuel Huston Avenue (Fort Branch 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 townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on June 9, 2015. Owner: Polis Properties LLC (Chris Peterson). Agent: Civiltude, LLC (Candace Craig). City Staff: Heather Chaffin, 512-974-2122.  
**This item was postponed to August 13, 2015 at the staff's request on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
32. C14-2015-0034 - Sonic Drive In #21-Del Valle - District 2 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 3115 East State Highway 71 Westbound (Colorado River Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning. Owner/Applicant: Sonic Properties of Austin LLP (John F. Patton). City Staff: Wendy Rhoades, 512-974-7719.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-032 for community commercial (GR) district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
33. C14-2015-0038 - Domain Entertainment District - District 7 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11624-11824 Burnet Road (Walnut Creek Watershed) from major industrial-planned development area (MI-PDA) district zoning to major industrial-planned development area (MI-PDA) district zoning, to change a condition of zoning. Staff Recommendation: To grant major industrial-planned development area (MI-PDA) district zoning. Planning Commission Recommendation: To grant major industrial-planned development area (MI-PDA) district zoning. Owner/Applicant: Domain Retail Property Owner LP. Agent: Jackson Walker, LLC (Katherine Loayza). City Staff: Sherri Sirwaitis, 512-974-3057.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-033 for major industrial-planned development area (MI-PDA) district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
34. C14-2015-0039 - 4100 Banister - District 5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4100 and 4006 Banister Lane (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to multi-family residence-low density-conditional overlay (MF-2-CO), combining district zoning, as amended. Staff Recommendation: To grant multi-family residence-medium density-conditional overlay (MF-3-CO) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, as amended. Owner/Applicant: Gossett Jones Homes (Matt Jones). Agent: Gossett Jones Homes (Peter Pevoto). City Staff: Tori Haase, 512-974-7691.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-034 for multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, as amended was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

35. C14-2015-0041 - Trial's Rezoning - District 7 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 13805 Orchid Lane (Walnut Creek Watershed) from community commercial (GR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay combining (CS-CO) district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay combining (CS-CO) district zoning. Owner/Applicant: Jon and Linda Trial. City Staff: Sherri Sirwaitis, 512-974-3057.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-035 for general commercial services-conditional overlay combining (CS-CO) combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
36. C14-2015-0042 - Burlson Industrial - District 2 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 7005 Burlson Road (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to limited industrial services (LI) district zoning. Staff Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Owner/Applicant: BUR 13, Ltd. (Terry Boothe). Agent: Bury, Inc. (Derek Villamez). City Staff: Wendy Rhoades, 512-974-7719.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-036 for limited industrial services-conditional overlay (LI-CO) combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
37. C14-2015-0044 - James - District 9 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1411 West 6th Street (Lady Bird Lake Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Owner/Applicant: Jay W. Barnes. Agent: James Design LLC (Hunter Ellis). City Staff: Tori Haase, 512-974-7691.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-037 for neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
38. C14-2015-0045 - RE 2002 .38 - District 2 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 2355 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: RE 2002, LP (Mitchell D. Savrick). City Staff: Wendy Rhoades, 512-974-7719.  
**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-038 for general commercial services (CS) district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**
39. C14-2015-0046 - Route Serv .93 - District 7 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 15701 North Interstate-35 Service Road Northbound (Gilleland Creek Watershed) from single family residence-standard lot (SF-2) 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: Route Serv, LLC (Mitchell D. Savrick). Agent: Jim Bennett Consulting (Jim Bennet). City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150611-039 for general commercial services (CS) district zoning was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

40. C814-2014-0083 - Sunfield PUD - District 5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 1901 Turnersville Road, and the southwest corner of Turnersville Road and South Turnersville Road (Rinard Creek Watershed; Plum Creek Watershed; Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning. Planning Commission Recommendation: To grant planned unit development (PUD) district zoning. Owner/Applicant: A&M Option 541, LLC; 2428 Partners, LLC (Richard Mildner). Agent: Coats Rose (Pamela Madere). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt the first reading of the ordinance for planned unit development (PUD) district zoning was approved with the following additional condition on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote. The additional condition was to limit one acre lots to no more than 10% single family lots.**

41. C14-73-144(RCA) - HDJS Partners South First - District 2 - Conduct a public hearing to amend a restrictive covenant on property locally known as 6311 South 1st Street (Williamson Creek Watershed). Staff Recommendation: To grant an amendment to the restrictive covenant. Planning Commission Recommendation: To grant an amendment to the restrictive covenant. Owner/Applicant: HDJS Partners LP (Haythem Dawlett). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and approve the amendment to the restrictive covenant was approved on consent on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

42. C14-86-103(RCT) - Greater Mt. Zion Baptist Church - District 1 - Conduct a public hearing and approve a restrictive covenant termination on property locally known as 1801 Pennsylvania Avenue (Boggy Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To be reviewed on June 9, 2015. Owner/Applicant: Greater Mt. Zion Baptist Church (David Mims Jr.). Agent: Henry H. Gilmore. City Staff: Heather Chaffin, 512-974-2122.

**This item was postponed on consent to August 13, 2015 at the staff's request on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.**

#### **BRIEFING ON PLANNED UNIT DEVELOPMENT ASSESSMENTS**

44. CD-2015-0009 - Presentation on a development assessment for The Grove at Shoal Creek Planned Unit Development, located at 4205 Bull Creek Road, within the Shoal Creek Watershed (District 10) and possible action on the baseline for determining development bonuses.

**The presentation was made by Jerry Rusthoven, Manager, Planning and Development Review Department and Jeff Howard, McClain and Howard.**

#### **CITIZEN COMMUNICATIONS: GENERAL**

Paul Robbins - City and Budget issues

Bill Oakey - Discuss affordability proposals

Sara Loar - TBA

Julian Reyes - Dogs

John Woodley - Discrimination issues in the City of Austin, specifically against the deaf and hard of hearing.

Joe Maloy - M.E.E.E.L.J. Inc.

Carlos León - 1) God, Jesus Christ, and the Holy Spirit are #1 24/7 2) Keeping clean & clear Austin's air & skies means zero chemtrails 3)Losing your marbles - Part XI

**Mayor Adler recessed the Council Meeting to go into Executive Session at 1:00 p.m.**

**EXECUTIVE SESSION**

**The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.**

- 45. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn.**
- 46. Discuss legal issues related to a challenge petition with the Appraisal Review Board for the Travis Central Appraisal District relating to commercial property values set by the Travis Central Appraisal District. (Private consultation with legal counsel - Section 551.071 of the Government Code).
- 47. Discuss legal issues related to White Lodging v. City of Austin et al, Cause No. A:13-cv-0825 in the United States District Court for the Western District of Texas. (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).  
**This item was withdrawn.**
- 48. Discuss legal issues related to Mercer et al v. City of Austin et al, Cause No. 1:13-cv-00830, in the United States District Court for the Western Division of Texas. (Private consultation with legal counsel-Section 551.071) (Related to July 26, 2013 officer-involved shooting).  
**This item was withdrawn.**

**Executive Session ended and Mayor Adler called the Council Meeting back to order at 2:36 p.m.**

**PUBLIC HEARINGS AND POSSIBLE ACTIONS**

- 49. Conduct a public hearing and consider an appeal by Daniel Llanes, regarding the Planning Commission's approval of a variance from City Code Section 25-2-721(B)(1), which prohibits the construction of a building or parking area within the primary setback of the Waterfront Overlay in the Red Bluff Subdistrict (District 3).  
**This item was postponed to June 25, 2015 on Mayor Adler's motion, Council Member Zimmerman's second on an 11-0 vote.**

**ZONING DISCUSSION ITEM**

43. C14H-2014-0014 - Bluebonnet Hills Historic District - District 9 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning properties bounded by Annie Street on the north, East Side Drive on the east, Leland Street on the south, and Brackenridge Street on the west, and incorporating the south side of the 500 block of E. Annie Street, the 500 block of E. Mary Street, portions of the 400 block of Lockhart Drive, the 500 block of Lockhart Drive, the 300, 400, and 500 blocks of Terrace Drive, the north side of the 300, 400, and 500 blocks of Leland Street, the west side of the 1800, 1900, and 2000 blocks of East Side Drive, the 1900 and 2000 blocks of Newning Avenue, and the portions of the east side of the 1900 and 2000 blocks of Brackenridge Street (Blunn Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning and family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning to family residence-historic area-neighborhood plan (SF-3-HD-NP) and family residence-historic landmark-historic area-neighborhood plan (SF-3-H-HD-NP) combining district zoning. Staff Recommendation: To grant family residence-historic area-neighborhood plan (SF-3-HD-NP) and family residence-historic landmark-historic area-neighborhood plan (SF-3-H-HD-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic area-neighborhood plan (SF-3-HD-NP) and family residence-historic landmark-historic area-neighborhood plan (SF-3-H-HD-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic area-neighborhood plan (SF-3-HD-NP) and family residence-historic landmark-historic area-neighborhood plan (SF-3-H-HD-NP) combining district zoning. Applicant: Michele Webre, Bluebonnet Hills Historic District Team. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454. **The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance for family residence-historic area-neighborhood plan (SF-3-HD-NP) and family residence-historic landmark-historic area-neighborhood plan (SF-3-H-HD-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Renteria's second on a 7-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Garza, Houston, Kitchen and Pool. Those voting nay were: Council Members Renteria, Troxclair and Zimmerman. Council Member Gallo was off the dais.**

**ZONING DISCUSSION ITEMS CONTINUED**

**Items 17 and 18 were acted on in a combined motion.**

17. NPA-2014-0029.01 - Little Walnut Creek - District 1 - Approve second and third readings an ordinance amending Ordinance No. 20120426-100, the St. John/Coronado Hills 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 7400, 7424 and 7450 East U.S. Highway 290, and 2509 East Anderson Lane (Little Walnut Creek Watershed) from Office land use to Mixed Use/Office land use. First Reading approved on April 2, 2015. Vote: 11-0. Owner/Applicant: Cozy Living, LLC; AAA Fire & Safety, Inc.; and Seyed Miri. Agent: Mike Dallas Properties (Mike Dallas). City Staff: Maureen Meredith, 512-974-2695.

**There was a motion made by Council Member Zimmerman to approve the ordinance. The motion failed for lack of a second.**

**This item was postponed indefinitely on Council Member Casar's motion, Council Member Pool's second on an 8-1 vote. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.) Council Member Garza voted nay. Council member Zimmerman abstained. Council Member Gallo was off the dais.**

18. C14-2014-0135 - Little Walnut Creek - District 1 - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as

7400, 7424, and 7450 East U.S. Highway 290, and 2509 East Anderson Lane (Little Walnut Creek Watershed) from general office-neighborhood plan (GO-NP) combining district zoning to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. First Reading approved on April 2, 2015. Vote: 11-0. Owners: Cozy Living, LLC, AAA Fire & Safety, Inc. and Seyed Miri. Applicant: Mike Dallas Properties (Mike Dallas). City Staff: Heather Chaffin, 512-974-2122.

**There was a motion made by Council Member Zimmerman to approve the ordinance. The motion failed for lack of a second.**

**This item was postponed indefinitely on Council Member Casar's motion, Council Member Pool's second on an 8-1 vote. (Under City Code, items postponed indefinitely are withdrawn from the active agenda and must be re-noticed before being placed back on the council agenda.) Council Member Garza voted nay. Council member Zimmerman abstained. Council Member Gallo was off the dais.**

**Items 15 and 16 were acted on in a combined motion.**

15. NPA-2014-0016.03 - Morotito's Plan - 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 2901 East 5th Street (Colorado River Watershed) from Single Family land use to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner: Michael A. Valdez. Agent: Lourdes Godoy. City Staff: Maureen Meredith, 512-974-2695.

**The public hearing was conducted and the motion to keep the public hearing open and adopt the first reading of the ordinance to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved with the following friendly amendment on Council Member Zimmerman's motion, Council Member Houston's second on an 11-0 vote.**

**There was a friendly amendment made by Council Member Casar to not approve a site for office use unless it includes a residential component. The friendly amendment was accepted by the maker of the motion and Council Member Houston, who made the second.**

16. C14-2014-0194 - Morotito's Plan - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2901 East 5th 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 limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Owner/Applicant: Michael A. Valdez. Agent: Lourdes Godoy. City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.

**The public hearing was conducted and the motion to keep the public hearing open and adopt the first reading of the ordinance for limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning was approved with the following friendly amendment on Council Member Zimmerman's motion, Council Member Houston's second on an 11-0 vote.**

**There was a friendly amendment made by Council Member Casar to not approve a site for office use unless it includes a residential component. The friendly amendment was accepted by the maker of the motion and Council Member Houston, who made the second.**

DISCUSSION ITEMS CONTINUED

3. Authorize negotiation and execution of amendments to agreements for juvenile delinquency prevention services with MEXIC-ARTE MUSEUM ("MEXIC-ARTE") and THEATER ACTION PROJECT dba CREATIVE ACTION ("CREATIVE ACTION") in support of the 78744 Dove Springs Community Youth Development Program to increase the term by six months and add an amount not to exceed \$46,587 to the contract with MEXIC-ARTE, for a total contract amount not exceed \$84,080, and to increase the term by six months and add an amount not to exceed \$48,268 to the contract with CREATIVE ACTION for a total contract amount not to exceed \$87,442.

**The motion authorizing the negotiation and execution of amendments to agreements for juvenile delinquency prevention service with Mexic-Arte Museum ("Mexic-Arte") and Theater Action Project doing business as Creative Action ("Creative Action") was approved on Council Member Kitchen's motion, Council Member Gallo's second on an 8-0. Council Member Zimmerman abstained. Council Member Renteria was off the dais. Mayor Pro Tem Tovo recused herself regarding the creative action and theatre action portions.**

11. Approve a resolution relating to increased funding in the fiscal year 2015-2016 budget for programs that benefit lower-income Austinites. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Sheri Gallo CO 4: Mayor Pro Tem Kathie Tovo)

**Resolution No. 20150611-011 was approved on Council Member Casar's motion, Council Member Gallo's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Renteria was off the dais.**

12. Approve a resolution relating to City positions that have remained vacant more than 12 months. (Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Council Member Sheri Gallo CO 2: Council Member Ora Houston CO 3: Council Member Don Zimmerman CO 4: Council Member Ann Kitchen)

**Resolution No. 20150611-012 was approved with the following amendment and friendly amendment on Council Member Troxclair's motion, Council Member Zimmerman's second on an 11-0 vote.**

**The amendment was to have the "Be it Resolved by the City Council of the City of Austin" paragraph read, "The City Manager is directed to bring a budget amendment to the City Council in August of 2015 and in March of each of the following fiscal years, that allows the Council the ability to re-appropriate funding for non-sworn positions which have been vacant for at least 12 months."**

**There was a friendly amendment made by Mayor Pro Tem Tovo to have the sixth "Whereas" clause read, "Whereas, in the Fiscal Year 2014-2015 budget, 3.2 million dollars was allocated to the 34.8 non-public safety positions ("non-sworn positions") that have been vacant for more than 12 months; and". The friendly amendment was accepted by the maker of the motion and Council Member Zimmerman, who made the second.**

13. Approve a resolution directing the City Manager to take the necessary steps to allow council to implement a freeze on the taxable value of homesteads, based on the 2015 tax roll valuation, for seniors and people with disabilities as authorized by the Texas Tax Code. (Notes: SPONSOR: Council Member Sheri Gallo CO 1: Council Member Ora Houston CO 2: Council Member Ann Kitchen CO 3: Council Member Ellen Troxclair CO 4: Council Member Leslie Pool)

**There was a motion made by Council Member Gallo and seconded by Council Member Zimmerman to approve the resolution.**

There was a friendly amendment made by Council Member Zimmerman to have the “Be it Resolved by the City Council of the City of Austin” clause read, “The City Manager is directed to implement a cap...” The amendment was later withdrawn by Council Member Zimmerman.

There was a substitute motion made by Council Member Kitchen and seconded by Council Member Zimmerman to send this item to the Audit and Finance Committee to be heard at the June 24, 2015 meeting and bring back to Council on August 6, 2015. The motion passed on a vote of 11-0.

**PUBLIC HEARINGS AND POSSIBLE ACTIONS CONTINUED**

50. Conduct a public hearing to receive citizen comments on the City's draft Fiscal Year 2015-2016 Action Plan, as required by the U.S. Department of Housing and Urban Development, and the Community Development 2015-2016 Program as required by Texas Local Government Code Chapter 373.  
**The public hearing was conducted and the motion to close the public hearing was approved without objection.**

**Mayor Adler adjourned the meeting at 9:04 p.m. without objection.**

**The minutes were approved on this the 18th day of June, 2015 on Council Member Zimmerman’s motion, Council Member Pool’s second on an 11-0 vote.**