

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, SEPTEMBER 10, 2015**

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, September 10, 2015 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:09 a.m.

**CONSENT AGENDA**

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council Special Called Meeting of August 24, 2015, the Special Called Meeting of August 25, 2015, and the Budget Work Session of August 27, 2015.

**The minutes from the City Council special called meeting of August 24, 2015, the special called meeting of August 25, 2015 and the budget work session of August 27, 2015 were approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

2. Approve a payment not to exceed \$154,000 for a judgment and associated costs in Chacon v. City of Austin et al, Cause No. 1:12-cv-226-ss, in the United States District Court for the Western District of Texas, Austin Division.

**The motion approving payment not to exceed \$154,000 for a judgment and associated costs in Chacon v. City of Austin et al was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

3. Authorize the negotiation and execution of a one-year service agreement with the Austin Housing Finance Corporation to manage and operate various housing programs on the City's behalf during Fiscal Year 2015-2016 using funds received by the City from the U.S. Department of Housing and Urban Development and local housing funds in an amount not to exceed \$17,125,572.

**The motion authorizing the negotiation and execution of a service agreement with the Austin Housing Finance Corporation was approved on Council Member Kitchen's motion, Council Member Garza's second on a 10-1 vote. Council Member Zimmerman voted nay.**

4. Authorize the negotiation and execution of a one-year contract with BUSINESS INVESTMENT GROWTH to provide training and technical assistance services to certified microenterprise firms in an amount not to exceed \$200,000.

**The motion authorizing the negotiation and execution of a contract with Business Investment Growth was approved on Council Member Kitchen's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**

5. Authorize negotiation and execution of a one-year contract with PEOPLEFUND to administer the Community Development Bank program and to support job creation and expansion of small businesses by providing loan services through PEOPLEFUND's Small Business Development Program in an amount not to exceed \$150,000.

**The motion authorizing the negotiation and execution of a contract with Peoplefund was approved on Council Member Kitchen's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**

6. Authorize negotiation and execution of a one-year contract with AUSTIN TENANTS' COUNCIL to administer the Tenants' Rights Assistance Program for community education and information about tenant protections in an amount not to exceed \$288,729.

**The motion authorizing the negotiation and execution of a contract with Austin Tenants' Council was approved on Council Member Kitchen's motion, Council Member Garza's second on a 10-1 vote. Council Member Zimmerman voted nay.**

7. Authorize negotiation and execution of a one-year contract with FAMILY ELDERCARE, INC. to fund and administer the Senior Services Program, in an amount not to exceed \$134,000.

**The motion authorizing the negotiation and execution of a contract with Family Eldercare Inc. was approved on Council Member Kitchen's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**

8. Approve an ordinance on second and third reading adopting the first amended and restated Strategic Partnership Agreement between the City and the Sunfield Municipal Utility District No. 2 (previously named "Winfield Municipal Utility District No. 2") concerning the requirements and restrictions of the water district, which includes approximately 575 acres and is located east of IH 35 along the Travis and Hays County line south of Turnersville Road in Austin's limited purpose jurisdiction. Related to Items #9 and #15.

**Ordinance No. 20150910-008 was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

9. Approve an ordinance on second and third reading adopting an amendment to the Agreement Concerning Creation and Operation of Winfield Municipal Utility Districts Nos. 1, 2, 3 and 4 ("Winfield" now renamed as "Sunfield") concerning the requirements and restrictions of the water district, which includes approximately 575 acres and is located east of IH 35 along the Travis and Hays County line south of Turnersville Road in Austin's limited purpose jurisdiction. Related to Items #8 and #15.

**Ordinance No. 20150910-009 was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

10. 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 as amended on consent on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

**The amendment was to remove Bill Epsey from the Flood Mitigation Task Force appointment list.**

#### **Nominations**

##### **Board/Nominee**

##### **Nominated by**

##### **Airport Advisory Commission**

**John Walewski**

**Mayor Pro Tem Tovo**

##### **Bond Oversight Commission**

**Duke Browne**

**Council Member Houston**

##### **Bond Oversight Commission**

**Moses Garcia**

**Council Member Kitchen**

##### **Building & Standards Commission-Panel 2**

**Andrea Freiburger**

**Council Member Kitchen**

##### **Commission for Women**

**Barbara Fountain**

**Council Member Houston**

##### **Joint Cultural Committee**

**Anna Maciel**

**Mexican American Cultural Center  
Board Rep.**

##### **Joint Inclusion Committee**

**Amanda Lewis**

**Commission for Women Rep.**

##### **Flood Mitigation Task Force**

**Rose Marie Klee**

**Mayor Adler**

##### **Flood Mitigation Task Force**

**Elloa Mathews**

**Mayor Pro Tem Tovo**

Land Development Code Advisory Group

Sarah Linares

Council Member Renteria

## Waivers

**Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Barbara Fountain on the Commission for Women.**

**Approve a waiver of the filing deadline for the statement of financial information as prescribed in Sections 2-1-25 and 2-7-72 of the City Code and establishing a new deadline of Friday, September 25, 2015 for Susan Harris (Zoning & Platting Commission).**

11. Approve an ordinance waiving or reimbursing certain fees for the 8th annual Lady Bird Lake Fest event sponsored by the City of Austin Cultural Arts Division, Save Barton Creek Association, Save Our Springs Alliance, and several businesses and individual donors, which is to be held Tuesday, September 22, 2015 at Fiesta Gardens for students from Sanchez and Blackshear Elementary Schools.

(Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Delia Garza CO 3: Council Member Leslie Pool)

**Ordinance No. 20150910-011 waiving or reimbursing certain fees and waiving certain requirements for the 8th annual Lady Bird Lake Fest event was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

12. Approve an ordinance waiving or reimbursing certain fees and waiving certain requirements for the Austin Civic Wind Ensemble event sponsored by Austin Civic Wind Ensemble which is to be held on Friday, October 30, 2015 at the George Washington Carver Museum and Cultural Center.

(Notes: SPONSOR: Council Member Leslie Pool CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sheri Gallo CO 3: Mayor Steve Adler CO 4: Council Member Ann Kitchen)

**Ordinance No. 20150910-012 waiving or reimbursing certain fees and waiving certain requirements for the Austin Civic Wind Ensemble event was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

13. Set a public hearing to consider an ordinance amending the Imagine Austin Comprehensive Plan (Suggested Date and time: October 1, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

**The public hearing was set on consent for October 1, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

**Item 14 was pulled for discussion.**

15. 814-2014-0083 - Sunfield PUD - District 5 - Approve second and third readings of 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. First Reading approved on June 11, 2015. Vote: 11-0. Owner/Applicant: A&M Option 541, LLC; 2428 Partners, LLC (Richard Mildner). Agent: Coats Rose (Pamela Madere). City Staff: Wendy Rhoades, 512-974-7719. Related to Items #8 and #9.

**Ordinance No. 20150910-015 for planned unit development (PUD) district zoning was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

16. NPA-2014-0016.03 – Morotito's Plan – District 3 – Approve second and third readings of 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 to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. First Reading approved on June 11, 2015. Vote: 11-0. Owner: Michael A. Valdez. Agent: Lourdes Godoy. City Staff: Maureen Meredith, (512) 974-2695.

**Ordinance No. 20150910-016 to change the land use designation on the future land use map (FLUM) to mixed use land use was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

17. C14-2014-0194 – Morotito's Plan – District 3 – Approve second and third readings of 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 limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. First Reading approved on June 11, 2015. Vote: 11-0. 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.

**Ordinance No. 20150910-017 for limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

18. C14-2015-0054 – 901 East – District 3 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 901 and 917 East 6th Street (Waller Creek Watershed) from transit oriented development-neighborhood plan (TOD-NP) combining district zoning to transit oriented development-central urban redevelopment district-conditional overlay-neighborhood plan (TOD-CURE-CO-NP) combining district zoning. First Reading approved on August 13, 2015. Vote: 11-0. Owner: Osten Hall, LLC (Richard Kooris). Agent: Land Use Solutions (Michele Haussmann). City Staff: Heather Chaffin, 512-974-2122.

**Ordinance No. 20150910-018 for transit oriented development-central urban redevelopment district-conditional overlay-neighborhood plan (TOD-CURE-CO-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

19. NPA-2015-0016.01 - Shady Lane Mixed Use - 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 500 Shady Lane (Colorado River Watershed) from industry 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/Applicant: 600 Shady Lane, Ltd. (Jimmy Nassour). Agent: Alice Glasco Consultant (Alice Glasco) City Staff: Maureen Meredith, 512-974-2695.

**This item was postponed to October 8, 2015 at the request of the neighborhood on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

20. C14-2015-0043 - Shady Lane Mixed Use - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 500 Shady Lane (Colorado River Watershed) from limited industrial services-condition overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To deny 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-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner: 600 Shady Lane LTD (Jimmy Nassour). Agent: Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.

**This item was postponed to October 8, 2015 at the request of the neighborhood on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

21. NPA-2015-0017.01 – Korean United Presbyterian Church – District 7 – Conduct a public hearing and approve an ordinance amending the Crestview/Wooten 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 2000 Justin Lane (portion of) (Shoal Creek Watershed) from Civic to Multifamily land use. Staff Recommendation: To grant Multifamily land use. Planning Commission Recommendation: To grant Multifamily land use. Owner/Applicant: Korean United Presbyterian Church (Roy M. Kim). Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, 512-974-2695.

**This item was postponed to October 1, 2015 at the request of the applicant on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

22. C14-2015-0025 – Korean United Presbyterian Church – District 7 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2000 Justin Lane (Shoal Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning. Owner/Applicant: Korean United Presbyterian Church (Roy M. Kim). Agent: Thrower Design (Ron Thrower). City Staff: Tori Haase, 512-974-7691. A valid petition has been filed in opposition to this rezoning request.

**This item was postponed to October 1, 2015 at the request of the applicant on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

23. NPA-2015-0029.01 – Sunrise Pharmacy – District 4 – Conduct a public hearing and approve 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 on property locally known as

7104, 7106, 7108 Bennett Avenue (Buttermilk Creek Watershed) from Single Family to Neighborhood Mixed Use land use. Staff Recommendation: To deny Neighborhood Mixed Use land use. Planning Commission Recommendation: To grant Neighborhood Mixed land use. Owner/Applicant: 11800 Metric, Inc. (Abdul Patel). Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Maureen Meredith, 512-974-2695.

**This item was postponed to October 1, 2015 at the request of the staff on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

24. C14-2015-0050 – Sunrise Pharmacy – District 4 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7104, 7106 and 7108 Bennett Avenue (Buttermilk Branch Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Staff Recommendation: To deny 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: 11800 Metric Inc. (Abdul Patel). Agent: Land Answers, Inc., (Jim Wittliff). City Staff: Heather Chaffin, 512-974-2122.

**This item was postponed to October 1, 2015 at the request of the staff on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

25. C14-79-171(RCT) – 501 E 53rd Street – District 9 – Conduct a public hearing to terminate a restrictive covenant on property locally known as 501 and 503 East 53rd Street (Waller Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To grant the restrictive covenant termination. Owner/Applicant: 501 E 53rd Street LLC (Janet Belz). 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 the restrictive covenant termination was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

26. C14-04-0004.002(RCA) – 7010-7020, 7200 Easy Wind Drive, 810 W. St. Johns Avenue – District 7 – Conduct a public hearing to amend a restrictive covenant as it relates to property locally known as 7010-7020, 7200 Easy Wind Drive, 810 West St. Johns Avenue (Waller Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination, as it applies to the subject properties. Planning Commission Recommendation: To grant the restrictive covenant termination, as it applies to the subject properties. Owner/Applicant: Midtown Commons Office Center, LLC, Midtown Commons I Apartment Community, LLC, Midtown Commons II Apartment Community (Greg Merage). Agent: Kane Russell Coleman & Logan PC (Raymond J. Kane). City Staff: Tori Haase, 512-974-7691.

**The public hearing was conducted and the motion to close the public hearing and to adopt termination of the restrictive covenant as it applies to the subject properties was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

27. C14-2014-0186 - Hopper-Finley Tract - District 7 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2500 South Heatherwilde Boulevard (Harris Branch Watershed) from development reserve (DR) district zoning to single family

residence-small lot (SF-4A) district zoning for Tract 1, multifamily residence-moderate-high density (MF-4) district zoning for Tract 2 and community commercial (GR) district zoning for Tract 3. Staff Recommendation: To grant single family residence-small lot (SF-4A) district zoning for Tract 1, multifamily residence-moderate-high density (MF-4) district zoning for Tract 2 and community commercial (GR) district zoning for Tract 3. Zoning and Platting Commission Recommendation: To grant single family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tract 1, multi-family residence-moderate-high density (MF-4) district zoning for Tract 2 and community commercial (GR) district zoning for Tract 3. Owner/Applicant: Finley Company (Tim Finley). Agent: Jones and Carter, Inc. (Gemsong Ryan, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.

**This item was postponed to September 17, 2015 at the request of the staff on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

28. C14-2014-0193 - MMK Ventures, LLC - District 7 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1601 Cedar Bend Drive (Walnut Creek Watershed) from rural residence (RR) district zoning to single-family residence-small lot (SF-4A) district zoning. Staff Recommendation: To grant single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning. Owner/Applicant: MKM Hotel Group, LLC (Saeed Minhas). Agent: Cuatro Consultants, Ltd. (Hugo Elizondo, Jr., P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.

**This item was postponed to October 15, 2015 at the request of the neighborhood on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

29. C14-2015-0001 - Marlo Heights Rezoning - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4905, 5001, and 5003 Pecan Springs Road (Fort Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence-low density-neighborhood plan (MF-2-NP) combining district zoning. Staff Recommendation: To grant multifamily residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 1, and townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning for Tract 2.. Planning Commission Recommendation: To be reviewed September 8, 2015. Owner: Luke Ellis. Agent: Garrett-Ihnen Civil Engineers (Steve Ihnen). 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 ordinance on first reading for multifamily residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 1, and townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning for Tract 2 was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

30. C14-2015-0003A - South IH-35 Mixed Use Apartment Community - District 2 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6900 and 6940 South IH 35 Service Road Southbound; 504, 600, 606 and 700 Chaparral Road (Williamson Creek Watershed; South Boggy Creek Watershed) from general commercial services (CS) district zoning,



community commercial-conditional overlay (GR-CO) combining district zoning, neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning and single family residence-standard lot (SF-2) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1, and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning for Tract 3 and single family residence-standard lot (SF-2) district zoning for Tract 4. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 3, and multifamily residence-limited density-conditional overlay (MF-1-CO) combining district zoning for Tract 4. Owner/Applicant: Long Real Estate Holdings, LLC (Paul Long). Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 512-974-7719.

**This item was postponed to October 8, 2015 at the request of the neighborhood on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

31. C14-2015-0003B - South IH-35 Mixed Use Apartment Community - District 2 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 701 and 709 Chaparral Road (South Boggy Creek Watershed) from general commercial services (CS) district zoning, family residence (SF-3) district zoning and single family residence-standard lot (SF-2) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2. Owner/Applicant: Long Real Estate Holdings, LLC (Paul Long). Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

**This item was postponed to October 8, 2015 at the request of the neighborhood on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

32. C14-2015-0017 - 5204 FM 2222 - District 10 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5204 FM 2222 Road (Bull Creek Watershed) from general office (GO) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner/Applicant: The Dudley P. Prade Testamentary Trust & Prade Family Limited Partnership, Ltd. (Phil Mockford). Agent: Metcalfe, Wolff, Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Tori Haase, 512-974-7691.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150910-032 for community commercial-conditional overlay (GR-CO) combining district zoning was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

33. 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 deny townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Owner: Owner: Polis Properties LLC (Chris Peterson). Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122.

**This item was withdrawn.**

34. C14-2015-0077 – 4305 Churchill Downs Drive – District 10 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4305 Churchill Downs Drive (Lake Austin Watershed) from rural residence (RR) district zoning to single family residence-large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence-large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence-large lot (SF-1) district zoning. Owner/Applicant: Alicia K. Davis. Agent: Chas Architects (Bryan Jobe). City Staff: Tori Haase, 512-974-7691.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20150910-034 for single family residence-large lot (SF-1) district zoning was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

35. C14-2015-0078 – 1411 W 5th Street, 403 Paul Street – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1411 West 5th Street and 403 Paul Street (Lady Bird Lake Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on September 8, 2015. Owner/Applicant: Matthews-Barnes Brother Investments (Duke, Danay & Rox Covert) Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Tori Haase, 512-974-7691.

**The public hearing was conducted and the motion to close the public hearing and adopt the ordinance on first reading for grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

36. C14-2015-0080 – 11200 N. Ranch Road 620 – District 6 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11200 North FM 620 Road (Lake Travis and Bull Creek Watersheds) from development reserve (DR) district zoning

and community commercial-conditional overlay (GR-CO) combining district zoning to general commercial services (CS) district zoning. Staff recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner: Robinson Investments (Blake Robinson). Applicant/Agent: Lenworth Consulting, LLC (Nash Gonzales). City Staff: Sherri Sirwaitis, 512-974-3057.

**This item was postponed to September 17, 2015 at the request of the staff on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

37. C14-2015-0081 – Rezone 2513 – District 1 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2513 East 10th Street (Boggy Creek Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Staff Recommendation: To grant neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning. Owner: Guido and Lito Porto. Agent: Guido Porto. City Staff: Heather Chaffin, 512-974-2122.

**This item was postponed to October 8, 2015 at the request of the neighborhood on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

38. C14-2015-0091 – 1900 Burton Drive – District 3 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1900 Burton Drive and 1901 Mariposa Drive (Lady Bird Lake Watershed) from multifamily residence-low density (MF-2) district zoning and multifamily residence- medium density (MF-3) district zoning to multifamily residence-moderate-high density (MF-4-CO) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on September 8, 2015. Owner/Applicant: Richard J. Bruggeman. Agent: Metcalfe, Wolff, Stuart & Williams, LLP (Michele R. Lynch). City Staff: Andy Moore, 512-974-7604.

**This item was postponed to November 12, 2015 at the request of the staff on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

39. C14-2015-0096 – Goodnight Manchaca Development – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 10035 Manchaca Road (Slaughter Creek Watershed) from interim-rural residence (I-RR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Owner/Applicant: 10035 Manchaca Road LLC (Brandon Cash). Agent: Miller Gray (Dale Gray). City Staff: Wendy Rhoades, 512-974-7719.

**The public hearing was conducted and the motion to close the public hearing and adopt Ordinance 20100910-039 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

40. C14H-2010-0006 – Castle Hill Historic District – District 9 – Conduct a public hearing and approve an ordinance amending Ordinance 2010930-038 establishing the Castle Hill Historic District to modify the Castle Hill Historic District Design Standards for property locally known as 614 Blanco Street. Staff Recommendation: To modify the Design Standards as proposed. Historic Landmark Commission Recommendation: To modify the Design Standards as proposed. Planning Commission Recommendation: No recommendation – no quorum vote. Applicant: City of Austin Planning and Zoning Department. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department: 512-974-6454. **This item was postponed to September 17, 2015 at the request of the neighborhood on Council Member Kitchen's motion, Council Member Garza's second on an 11-0 vote.**

### **DISCUSSION ITEM**

14. Approve third reading of an ordinance regarding floodplain variances for the construction of an addition to an existing single family residence at 7054 Comanche Trail, which is located in the 100-year floodplain of Lake Travis (District 6). (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON AUGUST 20, 2015)  
**Ordinance 20150910-014 was approved on Council Member Zimmerman's motion, Council Member Gallo's second on a 6-5 vote. Those voting aye were: Mayor Adler and Council Members Casar, Kitchen, Renteria, Troxclair and Zimmerman. Those voting nay were: Mayor Pro Tem Tovo and Council Members Gallo, Garza, Houston and Pool.**

**Mayor Adler recessed the meeting at 10:57 a.m. without objection.**

**Mayor Adler called the meeting back to order at 12:08 p.m.**

### **CITIZENS COMMUNICATION: GENERAL**

Sylvia Servin - Pedestrian problems

Jere Locke - Real cost of fossil fuel

Donna Hoffman - Blackshear Bridge diversity and sustainability programs.

Lynda Jones – TBA – **Not present when name was called.**

Cynthia Valadez - Budget, Disparities and inequities.

Koo-Hyun Kim, Ph. D. - Austin Community College. – **Not present when name was called.**

**Mayor Adler recessed the meeting at 12:25 p.m. without objection.**

**Mayor Adler called the meeting back to order at 4:53 p.m.**

**EXECUTIVE SESSION**

41. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).

**This item was withdrawn without objection.**

**Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order. See separate minutes.**

42. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene.

**Mayor Adler called the Council Meeting back to order at 4:53 p.m.**

**PUBLIC HEARINGS**

43. 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 on consent to October 8, 2015 on Council Member Casar's motion, Council Member Gallo's second on a vote of 11-0.**

**Mayor Adler adjourned the meeting at 4:55 p.m. without objection.**

**The minutes were approved on this the 1<sup>st</sup> day of October 2015 on Mayor Pro Tem Tovo's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Casar was off the dais.**