

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, NOVEMBER 1, 2018**

Invocation: Reverend Eric Gates, Central Christian Church.

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, November 1, 2018 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:16 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 October 16, 2018 and regular meeting of October 18, 2018.
The motion approving the minutes of the City Council work session of October 16, 2018 and regular meeting of October 18, 2018 were approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
2. Approve issuance of incentives to Townbridge Homes for installation of solar electric systems to serve 30 residential condominium units located at 7601 Cooper Lane, for a total amount not to exceed \$69,300. District(s) Affected: District 2.
The motion approving issuance of incentives to Townbridge Homes was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on a 10-1 vote. Council Member Troxclair voted nay.
3. Authorize negotiation and execution of an interlocal agreement with the University of Texas at Austin for consulting services regarding the beneficial use of lime residuals generated at the City's water treatment plants, in the amount of \$98,500 plus a \$4,925 contingency, for a total contract amount not to exceed \$103,425. District(s) Affected: District 2.
The motion authorizing negotiation and execution of an interlocal agreement with the University of Texas at Austin was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
4. Approve a resolution declaring the City of Austin's official intent to reimburse itself from General Obligation Contractual Obligations in the amount of \$1,185,000 to purchase dual trash/recycling receptacles for public parks.

Resolution No. 20181101-004 was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.

5. Authorize award and execution of a construction contract with Gadberry Construction Company, Inc. (MBE), for the ABIA Campus HVAC Improvements project in the amount of \$1,424,000 plus a \$142,400 contingency, for a total contract amount not to exceed \$1,566,400. (District 2) [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 45.74% MBE and 4.78% WBE participation.] District(s) Affected: District 2.
The motion authorizing award and execution of a construction contract with Gadberry Construction Company, Inc. was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
6. Authorize award and execution of a construction contract with ASD Consultants, Inc., (MBE) for Little Stacy Neighborhood Park - General Park Improvements Rebid project in the amount of \$492,500 plus a \$49,250 contingency, for a total contract amount not to exceed \$541,750. (District #9) [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 42.95% MBE and 5.24% WBE participation.] District(s) Affected: District 9.
The motion authorizing award and execution of a construction contract with ASD Consultants, Inc., was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
7. Authorize negotiation and execution of a professional services agreement with the following two staff recommended firms: CDM Smith, Inc. and K Friese & Associates, Inc. (WBE), (or other qualified responders) for Request for Qualifications Solicitation No. CLMP246 to provide engineering services for South Area and Northwest Area Lift Station Improvements with the total amount not to exceed \$7,000,000 divided evenly between the two firms. [Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.]
The motion authorizing negotiation and execution of a professional services agreement with the following two staff recommended firms: CDM Smith, Inc. and K Friese & Associates, Inc. was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
8. Authorize negotiation and execution of a professional services agreement with Stanley Consultants, Inc. (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP247 for the Engineering Services for Electric Service Delivery contract in an amount not to exceed \$7,500,000.00. [Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 6.67% MBE and 3.66% WBE participation.]
The motion authorizing negotiation and execution of a professional services agreement with Stanley Consultants, Inc. was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.

Items 9 and 10 were pulled for discussion.

11. Authorize the negotiation and execution of an amendment to the lease with Planned Parenthood of Greater Texas, a Texas non-profit corporation, for the use of a City-owned 0.35 acre tract of

land improved with a 3,720 square foot building located at 1823 East 7th Street, for the purpose of operating a family planning clinic, including one 20 year term with one 20 year extension option. District(s) Affected: District 3.

The motion authorizing negotiation and execution of an amendment to the lease with Planned Parenthood of Greater Texas was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on a 10-1 vote. Council Member Troxclair voted nay.

12. Authorize negotiation and execution of an amendment to the Brackenridge Development Agreement with the Board of Regents of the University of Texas System regarding property located along Lake Austin Boulevard near the intersection of Lake Austin Boulevard and Exposition Boulevard to extend the date by which a Notice of Cancellation of the Brackenridge Development Agreement must be provided from November 25, 2018 to no later than February 28, 2019.

This item was withdrawn.

13. Authorize negotiation and execution of an interlocal agreement with the Austin Independent School District for programs provided by the Parks and Recreation Department. Recommended by the Parks & Recreation Board on a 6-0 vote.

The motion authorizing negotiation and execution of an interlocal agreement with the Austin Independent School District was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.

14. Approve an ordinance amending Ordinance No. 20180830-043 to correct a block reference in the property addresses listed for the property described in zoning case no. C14H-2018-0013 located within the boundaries of the Smoot/Terrace Park Historic District, roughly bounded by Pressler Street on the east, including the parcels on both sides of the street; W. 9th Street on the north, including the parcels on both sides of the street; W. 6th Street on the south, including only the parcels on the north side of the street; and Highland Avenue on the west, including the parcels on both sides of the street. District(s) Affected: District 9.

Ordinance No. 20181101-014 was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.

15. Authorize negotiation and execution of an interlocal agreement with the Houston Forensic Science Center to provide technical services to the Austin Police Department Forensic Science Bureau Firearms Unit, for a two-year term, in an amount not to exceed \$100,000.

The motion authorizing negotiation and execution of an interlocal agreement with the Houston Forensic Science Center was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.

16. Authorize negotiation and execution of a multi-term contract with Stearns, Conrad and Schmidt, Consulting Engineers, to provide landfill gas collection services, control system operation maintenance, and repair services, for up to five years for a total contract amount not to exceed \$1,000,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). District(s) Affected: District 2.

The motion authorizing negotiation and execution of a multi-term contract with Stearns, Conrad and Schmidt, Consulting Engineers was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.

17. Authorize award and execution of a multi-term contract with Thirkettle Corporation D/B/A Aqua-Metric Sales Company, to provide fire service type meters, for up to five years for a total contract amount not to exceed \$1,525,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
The motion authorizing award and execution of a multi-term contract with Thirkettle Corporation doing business as Aqua-Metric Sales Company was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
18. Authorize award and execution of a multi-term contract with EWT Holding III Corporation D/B/A Evoqua Water Technologies LLC, to provide calcium nitrate solution, equipment, and services, for up to five years for a total contract amount not to exceed \$2,800,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there was an insufficient availability of M/WBEs; therefore, no subcontracting goals were established).
The motion authorizing award and execution of a multi-term contract with EWT Holding III Corporation doing business as Evoqua Water Technologies LLC was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
19. Authorize award and execution of a multi-term contract with Paradigm Traffic Systems, Inc., to provide traffic signal backup batteries, for up to five years for a total contract amount not to exceed \$500,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
The motion authorizing award and execution of a multi-term contract with Paradigm Traffic Systems, Inc. was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
- Item 20 was pulled for discussion.**
21. Authorize negotiation and execution of a contract with Environmental Tree and Design, Inc., to provide tree relocation and care services, in an amount not to exceed \$550,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established). District(s) Affected: District 1.
The motion authorizing negotiation and execution of a contract with Environmental Tree and Design, Inc. was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on a 10-1 vote. Council Member Troxclair voted nay.
22. Authorize negotiation and execution of a community facilities agreement in an amount not to exceed \$2,200,000 with AC 811 W Live Oak, LLC, a Texas domestic limited liability company, for public storm drain infrastructure improvements to be constructed as part of a development located at 811 West Live Oak. District(s) Affected: District 9.

The motion authorizing negotiation and execution of a community facilities agreement with AC 811 W Live Oak, LLC was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.

23. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.
The following appointments and certain related waivers were approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.

Nominations

Board/Nominee	Nominated by
Commission for Women Dyana Limon-Mercado	Council Member Kitchen
MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee Usha Boddapu	Council Member Flannigan
Planning Commission Robert Schneider	Council Member Kitchen

24. Approve a resolution directing the City Manager to issue a Request for Proposals for redevelopment of a City-owned property located at 6909 Ryan Drive. Council Sponsors: Council Member Leslie Pool, Council Member Gregorio Casar, Council Member Ann Kitchen, Mayor Pro Tem Kathie Tovo, Mayor Steve Adler. District(s) Affected: District 7.
Resolution No. 20181101-024 was approved on consent as amended below on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.

The amendment was to add a new bullet under the first Be It Resolved clause to read:

- **"Consider options for making housing more family-friendly by including amenities such as child care; and"**

25. Approve a resolution directing the City Manager to develop and present options for the redevelopment, renovation, and activation of the Travis County Exposition Center and the surrounding 128-acre site. Council Sponsors: Council Member Ora Houston, Mayor Pro Tem Kathie Tovo, Council Member Leslie Pool, Council Member Jimmy Flannigan, Mayor Steve Adler. District(s) Affected: District 1.
Resolution No. 20181101-025 was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
26. Set a public hearing regarding Texas Gas Service's revised Conservation Adjustment Clause Tariff and its proposal to change customer gas rates. (Suggested date and time: November 15, 2018 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for November 15, 2018, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.

27. Set a public hearing to consider a resolution of no objection and acknowledge certain facts for an application to be submitted to the Texas Department of Housing and Community Affairs by RISE Residential Construction, L.P., or an affiliated entity, for the construction of a multi-family development to be known as Lakeway Apartment Homes, located on FM 620 at Storm Drive, in the City's extraterritorial jurisdiction (Suggested date and time: November 15, 2018 at 4:00p.m., Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for November 15, 2018, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
28. Set a public hearing to consider a resolution of no objection and acknowledge certain facts for an application to be submitted to the Texas Department of Housing and Community Affairs by RISE Residential Construction, L.P., or an affiliated entity, for the construction of a multi-family development to be known as Austin Parmer II Apartment Homes, to be located near the intersection of Bellingham and East Parmer Lane, in the City's extraterritorial jurisdiction (Suggested date and time: November 15, 2018 at 4:00p.m., Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for November 15, 2018, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
57. Authorize release of the Austin-Bergstrom International Airport 2040 Master Plan to the Federal Aviation Administration for its approval of the Master Plan and the Airport Layout Plan. District(s) Affected: District 2.
The motion authorizing release of the Austin-Bergstrom International Airport 2040 Master Plan to the Federal Aviation Administration was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
- Item 58 was pulled for discussion.**
59. Authorize award and execution of a contract with Apfelbaum Industrial, Inc., to provide a neutral grounding resistor, in an amount not to exceed \$98,720. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
The motion authorizing award and execution of a contract with Apfelbaum Industrial, Inc. was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
60. Approve the waiver or reimbursement of certain fees for the 2018 ThunderCloud Subs Turkey Trot event, sponsored by ThunderCloud Subs and benefitting Caritas of Austin, to be held on November 22, 2018, beginning at the Long Center for the Performing Arts. Council Sponsors: Mayor Pro Tem Kathie Tovo, Mayor Steve Adler, Council Member Delia Garza, Council Member Ann Kitchen, Council Member Alison Alter.
The motion approving the waiver or reimbursement of certain fees for the 2018 ThunderCloud Subs Turkey Trot event was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.
61. Approve an ordinance waiving or reimbursing certain fees for the House the Homeless Annual Memorial Service, sponsored by House the Homeless, to be held on November 18, 2018, at Vic

Mathias Shores at Town Lake Metro Park. Council Sponsors: Mayor Pro Tem Kathie Tovo, Mayor Steve Adler, Council Member Sabino 'Pio' Renteria, Council Member Leslie Pool.

Ordinance No. 20181101-061 was approved on consent on Council Member Casar's motion, Council Member Flannigan's second on an 11-0 vote.

DISCUSSION ITEMS

10. Approve an ordinance setting the council meeting schedule for calendar year 2019. **Ordinance No. 20181101-010 was approved as amended below on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-1 vote. Council Member Flannigan voted nay. The amendments were to:**

- **note a hard stop of 3:00 p.m. for the October 31, 2019, Regular Meeting**
- **add the following meeting dates: February 5, 2019, Work Session; February 7, 2019, Council Meeting; February 19, 2019, Work Session; February 21, 2019, Council Meeting; September 11, 2019, Budget and Tax Rate Adoption; and September 12, 2019, Budget and Tax Rate Adoption**
- **cancel the following meeting dates: February 12, 2019, Work Session; February 14, 2019, Council Meeting; February 26, 2019, Work Session; and February 28, 2019, Council Meeting**

Direction was given to staff to bring back recommended additional dates in early 2019 for budget workshops and strategic outcome meetings.

20. Authorize award and execution of a multi-term contract with Synagro of Texas-CDR, Inc., to provide biosolid composting services, for up to ten years for a total contract amount not to exceed \$19,300,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C, Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). **The motion authorizing award and execution of a multi-term contract with Synagro of Texas-CDR, Inc. was approved on Council Member Alter's motion, Council Member Garza's second on a 10-1 vote. Council Member Troxclair voted nay.**

Direction was given to staff to establish protocol for notifying Council, the Wastewater Commission, and the Zero Waste Commission of any emergency condition that might occur related to bio-solids and information on how the emergency condition is being handled.

29. Approve a resolution authorizing the filing of eminent domain proceedings for the Williamson Creek-Bitter Creek Tributary Channel Rehabilitation Project for the acquisition of approximately 0.045 of an acre (195 square feet) of land for a permanent drainage easement and approximately 0.0189 of an acre (824 square feet) of land for a temporary construction easement, all being out of Lot 16, Block A, Indian Hills Section 1, a subdivision of Record in Volume 55, Page 12, Plat Records, Travis County Texas, said Lot 16 being described in a Deed to James Gordon Jensen, of record in Document No. 2015105648, Official Public Records, Travis County, Texas in the amount of \$3,856. The owner of the needed property is Debra K. Jensen. The property is located entirely in District 2, at 2509 Bitter Creek Drive, Austin, Texas 78744. The general route covered by this project is along an unnamed tributary to Williamson Creek that is located between Bitter Creek Drive and Bucks Run between Branchwood Drive and William Cannon Drive. District(s) Affected: District 2.

Resolution No. 20181101-029 was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Garza, Kitchen, Pool, and Renteria. Those voting nay were: Council Members Houston and Troxclair.

Mayor Adler recessed the Council Meeting at 11:41 a.m.

Mayor Adler reconvened the Council Meeting at 12:02 p.m.

CITIZENS COMMUNICATIONS: GENERAL

Sliver White Mountain (Sylvia Mendoza) – It takes crazy to know crazy

Bianca Bangor – City of Austin utility policy

Angela Richter – TBD

Gustavo (Gus) Peña – 1. Veterans Day is on November 12, 2018. It is a day to remember all current active duty military personnel as well as past veteran's non active duty. 2. The Peña family is well represented. 3. Pilar Peña, Edward Peña, myself Gustavo Peña USMC veterans, Lucio III, Gilbert Peña Navy, Jesse Peña Air Force. 4. Please thank all veterans not just on Veterans Day but every day. 5. We gave it our all. My father Lucio Peña Senior Army World War 1, Lucio (2) Navy World War II. Please show your appreciation to all veterans for the sacrifices that were made to defend our country's, freedom, safety and democracy. 5. God bless America God bless our United States of America and our veterans.

Dan Redman – Mosaic Sound Collective – Update on our sustainability model for our creative sector

Felicia Foster – Affordability and Accountability

Austin Stowell – Affordability

Heyden Black Walker – Vision Zero – World day of Remembrance of Vigil

Curtis Rogers – Vision Zero – World day of Remembrance

Jay Blazek Crossley – Vision Zero - World day of Remembrance for the victims of Traffic Violence

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:37 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.

30. Discuss real estate and legal matters related to the purchase, exchange, lease, or value of real property locally known as the Lions Municipal Golf Course, generally located at the intersection

of Lake Austin Boulevard and Exposition Boulevard (Real property - Section 551.072 of the Government Code and private consultation with legal counsel - Section 551.071 of the Government Code).

31. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.
32. Discuss legal issues related to John Jenkins v. City of Austin, Cause No. C-1-CV-17-008732, in the Travis County Court at Law No. 2, Travis County Texas (Private Consultation with legal counsel-Section 551.071 of the Government Code).
33. Discuss legal issues related to sign regulation litigation: Reagan National Advertising v. City of Austin, Travis County District Court Cause Nos. D-1-GN-12-001211, D-1-GN-14-003595, D-1-GN-17-006930; and United States District Court No. 1:17-CV-00673-RP, Austin Texas (Private Consultation with legal counsel-Section 551.071 of the Government Code).
This item was withdrawn.
34. Discuss legal issues related to City of Austin 2018 labor negotiations with the Austin Police Association concerning employees in the Austin Police Department (Private consultation with legal counsel - Section 551.071 of the Government Code).

Mayor Adler stated Item 58 would be discussed in Executive Session.

58. Authorize negotiation and execution of an amendment to the Brackenridge Development Agreement with the Board of Regents of the University of Texas System regarding property located along Lake Austin Boulevard near the intersection of Lake Austin Boulevard and Exposition Boulevard and an amendment to the Lease Agreement between the Board of Regents of the University of Texas System and the City of Austin covering the Lions Municipal Golf Course to extend the date by which a Notice of Cancellation of the Brackenridge Development Agreement and a Notice of Cancellation of the Lease Agreement covering the Lions Municipal Golf Course must be provided from November 26, 2018 to no later than February 28, 2019. District(s) Affected: District 8, District 10.

Executive Session ended and Mayor Adler called the Council Meeting back to order at 3:36 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

36. NPA-2017-0016.03 - 3232 & 3306 E. Cesar Chavez Street-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 3232 & 3306 East Cesar Chavez Street (Colorado River Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on October 23, 2018. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Husch Blackwell, LLP (Stacey L. Milazzo). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.
This item was postponed to December 13, 2018 at the request of staff on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.

37. C14-2017-0138 -3232 and 3306 East Cesar Chavez Rezoning- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as locally known as 3232 and 3306 East Cesar Chavez Street (Colorado River Watershed). Applicant Request: To rezone from limited industrial-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be heard October 23, 2018. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Husch Blackwell, LLP (Stacey L. Milazzo). City Staff: Heather Chaffin, 512 974-2122. District(s) Affected: District 3.
This item was postponed to December 13, 2018 at the request of staff on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.
38. NPA-2018-0016.01 - Sekrit Theater- 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 1145 and 1147 Perry Road (Boggy Creek Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation: To grant Higher Density Single Family land use. Planning Commission Recommendation: To be reviewed on November 13, 2018. Owner/Applicant: Beau Reichert. Agent: Matthew Lewis. City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.
This item was postponed to December 13, 2018 at the request of staff on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.
39. C14-2018-0074- Sekrit Theater- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1145 and 1147 Perry Road (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: Pending. Planning Commission Recommendation: To be reviewed on November 13, 2018. Owner/Applicant: Beau Reichert. Agent: Simple City Design (Matthew Lewis). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.
This item was postponed to December 13, 2018 at the request of staff on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.
40. C14-2017-0066 Braker Lane Rezoning Part A- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 914 East Braker Lane (Walnut Creek Watershed) from single family residence standard lot (SF-2) district zoning to single family residence small lot (SF-4A) district zoning and community commercial (GR) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be heard October 16, 2018. Owner/Applicant: Richard Raymond Peterson and Carol Ann Peterson Starr. Agent: Carlson, Brigrance & Doering, Inc. (Charles Brigrance). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
This item was postponed to December 13, 2018 at the request of staff on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.

41. C14-2017-0100 Braker Lane Rezoning Part B- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 914 East Braker Lane (Walnut Creek Watershed) from single family residence standard lot (SF-2) district zoning and development reserve (DR) district zoning to single family residence small lot (SF-4A) district zoning and community commercial (GR) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed November 20, 2018. Owner/Applicant: Richard Raymond Peterson and Carol Ann Peterson Starr. Agent: Carlson, Brigance & Doering, Inc. (Charles Brigance). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
This item was postponed to December 13, 2018 at the request of staff on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.
42. C14-2018-0004 Braker Office/Condo Park -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1308 East Braker Lane (Walnut Creek Watershed) from multifamily residence low density-conditional overlay (MF-2-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed November 20, 2018. Owner/Applicant: Realty One Texas (Vu Chung and Sinh Le). Agent: Impact Design & Architecture Group, Inc. (James Fisher). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
This item was postponed to December 13, 2018 at the request of staff on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.
43. C14-2018-0083 A Star Signs & Printing LLC- Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 12311 Dessau Road (Harris Branch Watershed) from interim single family residence - standard lot (I-SF-2) district zoning to general commercial services-conditional overlay (CS-CO) combining 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: A Star Signs & Printing, LLC (Hoang Vu). Agent: Lenworth Consulting, LLC (Nash Gonzales, Jr.). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on Council Member Kitchen's motion, Council Member Casar's second on a 9-1 vote. Council Member Flannigan voted nay. Council Member Pool was off the dais.
45. C14-2018-0089 - 1905 Keilbar- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1905 Keilbar Lane (Williamson Creek Watershed, South Boggy Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning, with conditions. Owner/Applicant: 1905 Keilbar LLC (Michael Winningham). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181101-045 for townhouse and condominium residence (SF-6) district zoning was approved on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.

46. C14H-1981-0018 - Kenney House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning a portion of the property locally known as 611 W. 22nd Street from general office - mixed use - historic landmark - neighborhood plan (GO-MU-H-NP) combining district to general office - mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Staff Recommendation: To grant general office - mixed use - neighborhood plan (GO-MU-NP) combining district zoning for a portion of the tract. Historic Landmark Commission Recommendation: No recommendation due to lack of a quorum vote. Planning Commission Recommendation: To grant general office - mixed use - neighborhood plan (GO-MU-NP) combining district zoning for a portion of the tract. Applicant: Mike McHone. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general office - mixed use-neighborhood plan (GO-MU-NP) combining district zoning for a portion of the tract was approved on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.

Direction was given to staff to bring the item back to Council on November 15, 2018 for second and third reading.

47. C14H-2018-0082- Dabney Horne House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 901 Shoal Cliff Court from multifamily residence moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning to multifamily residence moderate-high density-conditional overlay-historic landmark-neighborhood plan (MF-4-CO-H-NP) combining district zoning. Staff Recommendation: To grant multifamily residence moderate-high density-conditional overlay-historic landmark-neighborhood plan (MF-4-CO-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant multifamily residence moderate-high density-conditional overlay-historic landmark-neighborhood plan (MF-4-CO-H-NP) combining district zoning. Planning Commission Recommendation: To be reviewed October 23, 2018. Applicant: Amanda Swor, agent for owner. City Staff: Steve Sadowsky, Historic Preservation Office, 974-6454. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181101-047 for multifamily residence moderate-high density-conditional overlay-historic landmark-neighborhood plan (MF-4-CO-H-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.

48. C14H-2018-0105 - Hillside Pharmacy.- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1209 E. 11th Street from commercial-liquor sales- neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district to commercial-liquor sales-historic landmark-neighborhood conservation combining district-neighborhood plan (CS-1-H-NCCD-NP) combining district. Staff recommendation: To grant commercial-liquor sales-historic landmark-neighborhood conservation combining district-neighborhood plan (CS-1-H-NCCD-NP) combining district. Historic Landmark Commission Recommendation: Pending. Planning Commission Recommendation:

Pending. Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 974-6454. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181101-048 for commercial-liquor sales-historic landmark-neighborhood conservation combining district-neighborhood plan (CS-1-H-NCCD-NP) combining district was approved on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.

49. C14-2018-0097 - South Chisholm Professional Offices - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9401 South Chisholm Trail (Slaughter Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Owner/Applicant: Mario Solis. Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181101-049 for limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning with the following condition was approved on Council Member Kitchen's motion, Council Member Casar's second on a 9-1 vote. Council Member Flannigan voted nay. Council Member Pool was off the dais.

The additional condition was driveway access to South Chisholm Trail shall be removed before a certificate of occupancy is issued for development. All vehicular access to the property shall be made from other adjacent public streets or through other adjacent property.

50. C14-2018-0094 - 2432 W Ben White Blvd Service Road Westbound - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 2432 West Ben White Boulevard Service Road Westbound (Barton Creek-Barton Springs Zone). Applicant's Request: To zone from unzoned to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services (CS) district zoning. Planning Commission Recommendation: To be reviewed on October 23, 2018. Owner/Applicant: Vaquero Austin Lamar Partners, LP (W.A. Landreth, III). Agent: Coats Rose (John M. Joseph). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 5.

This item was postponed to November 15, 2018 at the request of staff on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.

51. NPA-2018-0028.01 -Dessau Homes -Conduct a public hearing and approve an ordinance amending Ordinance No. 20110113-059, the Heritage Hills/Windsor 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 10300 Dessau Road (Walnut Creek Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation: To grant Higher Density Single Family Use land use. Planning Commission recommendation: To grant Higher Density Single Family land use. Owner/Applicant: Central Texas Group, LLC. (Preya Sundaram). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 1.

This item was postponed to November 15, 2018 at the request of the applicant on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.

52. C14-2018-0075 -Dessau Homes - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 10300 Dessau Road (Walnut Creek Watershed). Applicant Request: To rezone 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 to 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: Central Texas Group, LLC (Preya Sundaram). City Staff: Heather Chaffin, 512-974-2122.

This item was postponed to November 15, 2018 at the request of the applicant on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.

53. NPA-2018-0016.02 -PAZ Veterinary-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 3300 East 7th Street and 3311 Gonzalez Street (Boggy Creek Watershed) from Office to Commercial land use. Staff recommendation: To grant Commercial land use. Planning Commission recommendation: To grant Commercial land use. Owner/Applicant: 3301 Gonzales, LLC (Thomas Joseph). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181101-053 to change the land use designation on the future land use map (FLUM) to Commercial land use was approved on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.

54. C14-2018-0081 -PAZ Veterinary - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3300 East 7th Street and 3311 Gonzales Street (Boggy Creek Watershed). Applicant Request: To rezone from general office-neighborhood plan (GO-NP) combining district zoning to community commercial-neighborhood plan (GR-NP) combining district zoning. Staff Recommendation: To grant community commercial-neighborhood plan (GR-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-neighborhood plan (GR-NP) combining district zoning. Owner/Applicant: 3301 Gonzales, LLC (Thomas Joseph). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181101-054 for community commercial-neighborhood plan (GR-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was off the dais.

DISCUSSION ITEMS CONTINUED

58. Authorize negotiation and execution of an amendment to the Brackenridge Development Agreement with the Board of Regents of the University of Texas System regarding property located along Lake Austin Boulevard near the intersection of Lake Austin Boulevard and

Exposition Boulevard and an amendment to the Lease Agreement between the Board of Regents of the University of Texas System and the City of Austin covering the Lions Municipal Golf Course to extend the date by which a Notice of Cancellation of the Brackenridge Development Agreement and a Notice of Cancellation of the Lease Agreement covering the Lions Municipal Golf Course must be provided from November 26, 2018 to no later than February 28, 2019. District(s) Affected: District 8, District 10.

The motion authorizing negotiation and execution of an amendment to the Brackenridge Development Agreement with the Board of Regents of the University of Texas System was approved on Council Member Alter's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Pool was off the dais.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

44. C14-2018-0077 Damac Commercial-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7712 FM 969 (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to community commercial -mixed use (GR-MU) combining district zoning on Tract 1 and townhouse and condominium residence (SF-6) district zoning on Tract 2. Staff Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning on a portion of the property and townhouse and condominium residence (SF-6) district zoning on the remainder of the property. Zoning and Platting Commission Recommendation: To grant neighborhood commercial -mixed use (LR-MU) combining district zoning on a portion of the property and single family residence-standard lot (SF-2) district zoning on the remainder of the property. Owner/Applicant: Damac Real Estate Investment Group (Saqib Ali). Agent: Ausland Architects (Kennedy Whiteley). City Staff: Heather Chaffin, 512-974-2122. A Valid Petition has been filed in opposition to this request. District(s) Affected: District 1.

This item was postponed to November 15, 2018 at the request of the applicant on Council Member Houston's motion, Council Member Troxclair's second on a 10-0 vote. Council Member Pool was off the dais.

PUBLIC HEARINGS

56. Conduct a public hearing and consider an appeal by David Knapp, represented by Nikelle Meade, of the Zoning and Platting Commission's denial of a preliminary plan and associated environmental variance for Live Oak Springs preliminary plan, located at 9406 Morninghill Drive.

This item was withdrawn.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

35. C14-2018-0043 Belmont Apartments - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9100 Brown Lane (Little Walnut Creek Watershed). Applicant Request: To rezone from limited industrial services (LI) district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use (CS-MU) combining district zoning on Tract 1 and general commercial services (CS) district zoning on Tract 2. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use (CS-MU) combining district zoning on Tract 1 and general commercial services (CS) district zoning on Tract 2. Owner/Applicant: LDG Development (Justin Hartz). Agent: Costello, Inc. (Steven Buffum). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general commercial services-mixed use (CS-MU) combining district zoning on Tract 1 and Tract 2 was approved on Council Member Casar's motion, Council Member Garza's second on a 10-0 vote. Council Member Pool was off the dais.

PUBLIC HEARINGS CONTINUED

62. Conduct a public hearing and approve an ordinance amending City Code Section 11-1-28(C) to change the maximum number of years for which additional taxes may be collected upon the removal of a historic zoning designation from three years to five years.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181101-062 was approved on Mayor Pro Tem Tovo's motion, Council Member Houston's second on a 10-0 vote. Council Member Pool was off the dais.
63. Conduct a public hearing and approve an ordinance repealing City Code Section 11-1-23 relating to the requirement that the owner of a historic landmark file an affidavit with the City by January 15 of each year to qualify for a partial exemption of ad valorem property taxes on the historically zoned parcel.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181101-063 was approved on Council Member Houston's motion, Mayor Pro Tem Tovo's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Pool was off the dais.

Mayor Adler recessed the Council Meeting at 4:53 p.m. for Live Music and Proclamations.

LIVE MUSIC

The Tapestry Singers

PROCLAMATIONS

Proclamation – Homeless Youth Awareness Month – To be presented by Council Member Ann Kitchen and to be accepted by Kelly Johnson, Communications Director, Texas Appleseed.

Proclamation – Possible ATX Entrepreneur Summit Day – To be presented by Mayor Steve Adler and to be accepted by Christine Escobar, Vice President and General Manager, Univision Austin Local Media.

Proclamation – Municipal Courts Week – To be presented by Mayor Steve Adler and to be accepted by Judge Sherry Statman, Municipal Court, and Mary Jane Grubb, Municipal Court Clerk.

Proclamation – Veterans Day – To be presented by Mayor Steve Adler and to be accepted by Joe Barger, Veteran, United States Navy.

Mayor Adler reconvened the Council Meeting at 7:15 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

55. C814-86-023.01 - Camelback PUD - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by zoning and rezoning property locally known as 6507 Bridge Point Parkway (Coldwater Creek Watershed, Lake Austin Watershed). Applicant's Request: To zone and rezone from interim-rural residence (I-RR) district zoning, interim-Lake Austin residence (I-LA) district zoning and planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change conditions of zoning, with conditions. First Reading approved on October 18, 2018. Vote: 10-0, Council Member Pool was off the dais. Owner/Applicant: Loop 360 Land LP (Jonathan Coon). Agent: McClean & Howard, L.L.P. (Jeffrey S. Howard). City Staff: Wendy Rhoades, 512-974-7719. The ordinance may include entitlements triggered by actions on a nearby tract (Champion Tract 3), exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. District(s) Affected: District 10.
- The motion to approve the ordinance including the staff amendments and amendments by Council Member Alter was made by Council Member Alter and seconded by Council Member Kitchen.**

The following staff amendments were included in the motion without objection:

To revise Part 6.E.3. to read:

“3. supports for Mechanized Access shall be located no closer than 50 feet above the B-1 bluff line as shown in Exhibit G;”

To revise Part 7.A. to read:

“A. In addition to the parkland provided below, the Camelback PUD shall include at least 60.46 acres of open space, as shown in the Preserve Open Space district on Exhibit C, which satisfies open space requirements for a subdivision or site plan submitted within the Camelback PUD.

Allowable uses within the designated open space are restricted to nature trails, necessary utility easements that cannot reasonably be located elsewhere, the Mechanized Access crossing described above, and utility crossings for the Dock (D) district in the same general alignment as the mechanized dock access. Fuel storage is prohibited within the Preserve Open Space district.”

To revise Part 7.B. to read:

“B. The Camelback PUD shall include at least 16.58 acres of dedicated parkland in the Cliff Park as shown in Exhibit H.”

To revise Part 7.C. to read:

“C. The Camelback PUD shall include at least 9.95 acres of dedicated parkland in the Preserve Park as shown in Exhibit I.”

To revise Part 7.D. to read:

“D. Dedication of the 26.53 acres of parkland as set forth above and compliance with Exhibit J satisfy all City parkland requirements, including parkland development fee requirements, for the Camelback PUD.”

To revise Part 7.G. to read:

“G. Required Improvements to facilitate public access to parkland (“Public Access Improvements”) shall include:

1. 25 full-size, off-site parking spaces, including at least one van-accessible ADA space, for free public use;
2. Two off-site public restrooms, including changing stations, for free public use, to be located together in the Commercial district in close proximity to the 25 off-site parking spaces;
3. Access to the Cliff Park from the required off-site parking spaces and off-site public restrooms; and
4. Access to the Preserve Park from the existing Bridge Point Parkway and from the extension of Bridge Point Parkway.

All Public Access Improvements shall include suitable access conveyed to the City by necessary instruments in a form provided by the City Attorney”

To revise Part 7.J. to read:

“J. Construction and staging of construction materials and equipment in the Preserve Open Space (P-OS) district, Cliff Park and Preserve Park is permitted only for the improvements within those areas.”

To revise Part 11.A.3. to read:

“3. Section 25-1-23 (*Impervious Cover Measurement*) is modified to allow impervious cover on a given site within a particular district to exceed Section 25-2-492 (*Site Development Regulations*) provided the total amount of impervious cover allowed on the Property is not exceeded on an overall basis. The impervious cover calculation shall not include any portion of the cluster dock located on the shoreline of Lake Austin as defined in Section 25-2-551(A)(1) (*Lake Austin (LA) District Regulations*) (492.8 feet above mean sea level), and shall not include the Mechanized Access except for portions touching the ground. Allowable impervious cover is subject to the overall conditions as outlined in Part 6.F of this ordinance.”

To revise Part 11.B.9. to read:

“9. Section 25-2-893(G)(2) (*Accessory Uses for a Principal Residential Use*) is modified to allow potable water lines on the cluster dock if determined by the Austin Fire Department to be necessary for fire suppression, and potable water lines on the dock may only be used for fire suppression.”

To revise Part 11.B.15.b. to read:

“b. allow the footprint of the cluster dock to be the lesser of 30 feet in width by 20 percent of the shoreline length of the entire PUD, as provided in Part 6.D., or 17,280 sq. ft.”

To revise Part 11.D.1. to read:

“1. Section 25-5-81 (*Site Plan Expiration*) is modified to establish that site plans and other site development related permits expire five years after City approval. Section 25-5-62 (*Extension of Released Site Plan by Director*) is not applicable to site plans and other site development related permits in the PUD.”

To revise Part 11.F.1.b. to read:

“b. normal access to a proposed building is by direct connection via the Mechanized Access with an area above the regulatory flood datum, as prescribed by Chapter 25-12, Article 1 (*Building Code*);”

To revise Part 11.F.10. to read:

“10. Section 25-8-281 (*Critical Environmental Features*) is modified so that critical environmental features shall apply to development within the Camelback PUD, except that certain development within critical environmental feature setbacks is allowed according to Exhibits D and G. One Mechanized Access to the Dock (D) district from the Mixed Residential (MR) district is allowed through the Preserve Open Space (P-OS) district and through critical environmental feature setbacks. The Mechanized Access to the Dock district shall span bluff and rimrock features such that no structural connections within 50 feet from the top of the vertical face of any bluff or rimrock are utilized. Construction within the Commercial (C) district is allowed within the setback of the bluff identified as the B-1 bluff line in Exhibit G except that no borings, piers, or excavation may occur within 50 feet of the B-1 bluff line and all disturbance or cantilevered construction is allowed to extend not closer than 30 feet from the B-1 bluff line. Pedestrian trails and ancillary improvements may be located within critical environmental feature setbacks within parkland subject to review by the Parks and Recreation Department and Watershed Protection Departments if such improvements are in locations other than existing disturbed areas.”

To include or revise the following PUD Notes:

- 1. Any trails established in the Preserve Open Space (P-OS) District north of Bridge Point Parkway will be accessible to the public.**
- 2. Applicants shall add a tabulation table (as adopted per this PUD Ordinance) to each site development permit and subdivision application submittal which will show the current standing of the overall site development regulations. City staff shall review the table provided with each application and verify that it is in accordance with the site development regulations outlined in Exhibit D (PUD Notes and Exhibits).**
- 3. Driveway locations, trail locations, dock and other improvements shown on the Land Use Plan and any other Exhibits are schematic and will be determined at the time of site development permit or subdivision. Revisions to Exhibit C (Land Use Plan) to reflect the final locations determined during the permit review process will not be required.**
- 4. Zoning districts and land uses outside of the PUD that would otherwise trigger the requirements of Chapter 25-2, Article 10 (Compatibility Standards) to apply shall cause such compatibility standards to apply to development within the PUD as modified by the PUD Ordinance and Exhibit E (Compatibility Height and Setback Map).**
- 5. Within the Office Mixed Use (O-MU) and Commercial (C) Districts, all commercial buildings shall provide pedestrian access from the public right-of-way. All primary building entrances must be shaded via a canopy, awning, or approved shade device. A shaded pedestrian walk shall be provided from the public right of way or private street sidewalks or trails to the primary entrance. Shading for building entries and sidewalks shall meet the standards and definitions of Chapter 25, Section 2, Subchapter E, Sections 2,8 (Shade and Shelter) and 5 (Definitions, see 'Awning').**
- 6. Access gates shall not impede access to or along the trails shown on Exhibit F (On Site Multi-Modal Transportation).**
- 7. The location of sidewalks adjacent to private streets and internal drives may vary based on topography and site constraints and shall meander so that trees greater than 19" are preserved.**
- 8. Except as provided herein, building height for all individual buildings shall follow the definition of building height in Section 25-1-21(49) (Definitions; Height), Notwithstanding the foregoing, for a stepped or terraced building, the building height of each segment is determined individually. A stepped or terraced building is any building where the floors are offset. See Stepped Building Height Measurement Diagram on Exhibit D for reference of how height is calculated with respect to stepped buildings.**

9. All site development permits for the PUD must include a sheet to show compliance with Exhibit E (Compatibility Height and Setbacks).
10. As reflected within and subject to the conditions of an alternative method of compliance approved by the Austin Fire Department, an increase in distance and proximity to the fire apparatus access road, hydrant location, and water supply requirements of Sections 25-12-171 (International Fire Code), 25-12-173 (Local Amendments to the Fire Code), and Fire Protection Criteria Manual 4.4.0 (General Provisions for Fire Safety) for development within the Dock (D) District may be approved,
11. The PUD shall implement an outdoor lighting plan to minimize light pollution using "dark sky" design guidelines and techniques. When operated, light fixtures must not produce an intense glare or direct illumination across the property line, except for the boat dock lighting, which may be installed across property lines where authorized by applicable City regulations. All lights shall be a LED source and a height beam shall be controlled to direct the light downward. All exterior light fixtures must be fully shielded. All luminaries shall be directed down, diffused, and/or indirectly off an opaque surface. The maximum intensity measured at the property line shall be 0.5 foot candles. This excludes dock navigation and safety lighting required by the city.
12. The Property HOA shall establish curfew time(s) after which total outdoor lighting lumens shall be reduced by at least 30% or extinguished. Exceptions to include lighting reductions that are not required for any of the following:
 - i. With the exception of landscape lighting, lighting for residential properties including multiple residential properties not having common areas.
 - ii. When the outdoor lighting consists of only one luminaire.
 - iii. Code required lighting for steps, stairs, walkways, and building entrances.
 - iv. When in the opinion of the City, lighting levels must be maintained.
 - v. Dock navigation lighting
 - vi. Motion activated lighting.
 - vii. Lighting governed by special use permit in which times of operation are specifically identified.
13. Upon completion of the initial parkland improvements the owner will reserve 1 /10 of an acre or 4,356 SF of impervious cover for future parkland improvements or modifications. The reservation of impervious cover will expire 10 years from dedication of the initial parkland improvements.

The following amendments were made by Council Member Alter and included without objection:

To add a new Part 5.B.5. to read:

“5. limit impervious cover on slopes as follows:

- (a) not more than 2.32 acres of impervious cover on slopes of 15-25 percent gradient;
- (b) not more than 0.90 acres of impervious cover on slopes of 25-35 percent gradient;
- and
- (c) not more than 0.07 acres of impervious cover on slopes greater than 35 percent gradient, but only if necessary for a single driveway for access from City Park Road.”

To revise Part 6.B to read:

“B. The maximum number of residential dwelling units within the Camelback PUD shall not exceed 200 units. Single Family residential dwelling units may not exceed a height of 35 feet. The maximum number of residential dwelling units may increase up to 200 from 64 only if commercial development is correspondingly reduced with a minimum reduction of

1,000 square feet of commercial use for each residential unit above 64. Hotel guest rooms shall count against the total number of residential units.”

To revise Part 6.C to read:

“C. The maximum square footage of the clubhouse and dock sanitary facility within the Dock (D) district shall not exceed 5,000 square feet of impervious cover and the enclosed portions of the clubhouse shall not exceed a gross floor area of 3,500 square feet and no more than 2,000 square feet for areas other than kitchen, bathroom, mechanical, storage, hallways, and other non-common assembly areas. The clubhouse shall be limited to a single story and shall provide indoor seating for less than 50 persons. The foregoing seating limitation shall not be considered an occupancy limit for the purposes of complying with the International Building Code. The clubhouse with private kitchen and decks and related appurtenances shall be subject to these size limitations; provided that, however with the exception of those portions touching the ground, Mechanized Access and any safe refuge required in connection with Part 11.F.2 below shall not count against the impervious cover limitation in this subsection in the Dock (D) district.”

To revise Part 6.D. to read:

“D. The maximum length of the cluster dock with boat slips shall not exceed 20% of the inundated shoreline of the Camelback PUD. The maximum width of the cluster dock shall be 30 feet. The maximum height of the cluster dock shall be 30 feet. The cluster dock shall be limited to use by owners and occupants of residential dwelling units and their guests. Commercial uses of the dock and fuel sales are prohibited. All motorboats shall be moored or stored within the dock footprint. No other docks are allowed within the Camelback PUD. No sink or shower facilities are allowed on the dock. Fuel storage is not permitted within the Dock district. No certificate of occupancy for the cluster dock shall be issued unless and until construction of the Mechanized Access is completed. Completion of the cluster dock shall not be the basis for a hardship variance for shoreline access other than the Mechanized Access.”

To add a new Part 6.E. to read:

“E. If a hotel is located on the Property, guests of the hotel shall not be provided with access to the Mechanized Access, clubhouse, or cluster dock located in the Dock (D) district. The Mechanized Access, clubhouse, and cluster dock are exclusively for the use of owners of the residential units located on the property and their families and guests.”

To renumber Part 6.F. through Part 6.H. as Part 6.G. through Part 6.I.

To add a new Part 6.J. to read:

“J. Construction activities that produce sound over 60 decibels as measured at the boundary of the Property shall be prohibited on the Property on Sundays, except with respect to any construction, installation or repair work being performed in connection with an emergency, including but not limited to utility repair work, erosion control, flood mitigation, fire prevention and similar work. The foregoing prohibition on Sunday construction activities shall not apply to surveying, inspections, planning, testing or other development activities that do not involve construction materials or construction equipment.”

To revise Part 7.I. to read:

“I. Boundaries of the Park (P) district cannot be changed administratively unless the change increases the size of the Park district and does not decrease the amount of shoreline or cliff frontage that will become parkland.”

To revise Exhibit J (*City Parkland Improvement and Operations Agreement*) Section IV.C. to read:

“C. Boundaries. The boundaries of the Park (P) Districts shown on Exhibit C to the PUD Ordinance cannot be changed administratively unless the change results in an increase in the size of the Park District and does not decrease the amount of shoreline or cliff frontage in Cliff Park.”

To add a new section Part 8.D.3. to read:

“3. A boat pump-out facility for marine sanitation facilities shall be prohibited on the dock and in the Dock district.”

To renumber Part 8.D.3. through Part 8.D.6. as Part 8.D.4. through Part 8.D.7.

To revise Part 8.N. to read:

“N. For the purposes of impervious cover calculations, solar panels count as 50 percent impervious cover and all structural supports count as 100 percent impervious cover, or as required by city code at the time of permit application.”

To add a new section O to Part 8 to read:

“O. The Camelback PUD shall require a screening buffer at the westernmost edge of the Bridge Point Parkway improvements, adjacent to Amended Plat of Lots 1 and 2 of Coldwater PUD Section 1, as recorded in Document No. 200000212 of the Travis County Public Records.”

To revise Part 10 to read:

“The Landowner shall make a contribution to the Housing Trust Fund of \$3 per square foot for each square foot of gross floor area built (excluding parking structures) within the Camelback PUD, due prior to the completion of construction of each building. Those funds shall be restricted for use in City Council District 10 for a period of seven years from the date the first payment is received. If not suitable projects or opportunities are identified within seven years, staff may use the funds in other ways that advance the goals of the City’s Strategic Housing Blueprint.”

To revise Part 11.B.6. to read:

“6. Subsections (C) (2) and (E) (2) of Section 25-2-551 (*Lake Austin District Regulations*) are modified to allow construction on slopes as follows:

- a. On slopes between 0 and 15 percent, not less than 3.50 acres of impervious cover will be used; and**
- b. On slopes between 15 and 25 percent, not more than 6.42 acres of impervious cover is allowed; and**
- c. On slopes between 25 and 35 percent, not more than 7.95 acres of impervious cover is allowed; and**
- d. On slopes greater than 35, not more than 1.09 acres of impervious cover is allowed; and**
- e. Impervious cover may be transferred from higher slope categories to lower slope categories, provided that no more than 15.46 acres of impervious cover is allowed on slopes over 15 percent overall. Bridge Point Parkway and the Mechanized Access to the Dock (D) district shall not be subject to the above and foregoing construction on slope**

limitations except that structural footings on the surface shall be subject to the limitations.”

To revise Part 11.F.12. to read:

“12. Sections 25-8-301 (*Construction of a Roadway or a Driveway*) and 25-8-302 (*Construction of a Building or a Parking Area*) are modified to allow construction on slopes as follows:

- a. On slopes between 0 and 15 percent, not less than 3.50 acres of impervious cover will be used; and
- b. On slopes between 15 and 25 percent, not more than 6.42 acres of impervious cover is allowed; and
- c. On slopes between 25 and 35 percent, not more than 7.95 acres of impervious cover is allowed; and
- d. On slopes greater than 35, not more than 1.09 acres of impervious cover is allowed; and
- e. Impervious cover may be transferred from higher slope categories to lower slope categories, provided that no more than 15.46 acres of impervious cover is allowed on slopes over 15 percent overall. Bridge Point Parkway and the Mechanized Access to the Dock (D) district shall not be subject to the above and foregoing construction on slope limitations except that structural footings on the surface shall be subject to the limitations.”

A motion was made by Mayor Adler to revise Part 5.B.2 and accepted without objection. The motion was have the section read:

2. reduce gross floor area (excluding parking facilities) to 130,000 square feet.

An amendment was made by Council Member Kitchen to revise Part 11.B.6. and Part 11.F.12. The amendment failed on a 2-8 vote. Those voting aye were: Mayor Pro Tem Tovo and Council Member Kitchen. Those voting nay were: Mayor Adler, Council Members Alter, Casar, Flannigan, Garza, Houston, Renteria, and Troxclair. Council Member Pool was off the dais. The amendment was to revise the number of acres as follows:

- On slopes between 0 and 15 percent... 10.55 acres...
- On slopes between 25 and 35 percent.... 4.21 acres...
- On slopes greater than 35 percent... 0.6 acres...
- Impervious cover may be transferred from higher slope categories to lower slope categories, provided that no more than 15.36 acres of impervious cover is allowed on slopes over 15 percent overall.

A friendly amendment was made by Council Member Flannigan and accepted without objection to revise Part 10 to read:

“... Those funds shall be restricted for use in City Council District 10 for a period of seven years from the date the first payment is received unless a majority vote of City Council authorizes the funds to be used outside of District 10. If no suitable projects or opportunities are identified within seven years, staff may use the funds in other ways that advance the goals of the City’s Strategic Housing Blueprint.”

An amendment was made by Council Member Kitchen and accepted without objection to revise Part 8.D.1. to read:

“1. Design of dock facilities and dock access shall consider input from a design charrette comprised of a group approved by the City and the Landowner to ensure the structure is protective of the environment and minimizes adverse visual aesthetic impacts. The group shall include representation from neighboring properties as well as from across the river.”

Direction was given to staff to incorporate the fencing requirements as part of the conservation easement for the tracts to address things such as preserve degradation, illegal hunting, unauthorized clearing of vegetation, passage for coyotes, feral hogs, etc.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20181101-055 for planned unit development (PUD) district zoning, to change conditions of zoning as amended above was approved on Council Member Alter's motion, Council Member Kitchen's second on a 9-1 vote. Council Member Kitchen voted nay. Council Member Pool was off the dais.

DISCUSSION ITEMS CONTINUED

9. Approve an ordinance authorizing execution of the second amendment to a settlement agreement relating to the development of property located at 6400 City Park Road (Champion Tract 3) to include congregate living and convalescent services, and to reduce impervious cover; modifying the Lake Austin Watershed regulations in Ordinance No. 840301-F; amending Ordinances No. 960613-J and 20180215-013; and waiving Planning Commission Review. District(s) Affected: District 10.

The motion to approve the ordinance with the following amendments was made by Council Member Alter.

The amendment was to revise Part 4 to read:

- “(1) to provide that in no case may impervious cover on the Property exceed 3.49 acres;**
(2) to modify impervious cover limitations in slope categories to allow:
(a) not more than 2.32 acres of impervious cover on slopes of 15-25 percent gradient;
(b) not more than 0.90 acres of impervious cover on slopes of 25-35 percent gradient;
and
(c) not more than 0.07 acres of impervious cover on slopes greater than 35 percent gradient, but only if necessary for a single driveway for access from City Park Road;
(3) to modify section 9-10-382 (*Prohibited on Steep Slopes*) to allow a single driveway on slopes over 35 percent gradient, of no more than 0.07 acres of impervious cover, and only if necessary for access from City Park Road; and
(4) to grant the modifications of Lake Austin Watershed Ordinance No. 840301-F as stated above without Planning Commission approval”

To revise Section 2.g of the Exhibit to read:

g. During the term of this Agreement, the modifications to City regulations and the conditions established for the modifications listed in this subsection apply to the initial congregate living or convalescent services development on Tract 3. The modifications do not apply to any subsequent development or redevelopment of Tract 3.

To revise Section 2.g.1.A. of the Exhibit to read:

“1. Modifications to Lake Austin watershed regulations {Ordinance No. 840301-F}

A. Impervious cover modifications

- i. Section 9-10-382 (*Prohibited on Steep Slopes*) is modified to allow .07 acres of impervious cover on slopes greater than 35%.**
- ii. Modify impervious cover limitations in slop categories to allow:**
 - (a) not more than 2.32 acres of impervious cover on slopes of 15-25 percent gradient;**

- (b) not more than 0.90 acres of impervious cover on slopes of 25-35 percent gradient; and
 - (c) not more than 0.07 acres of impervious cover on slopes greater than 35 percent gradient, but only if necessary for a single driveway for access from City Park Road
- iii. Section 9-10-382 (Prohibited on Steep Slopes) is modified to allow a single driveway on slopes over 35 percent gradient, of no more than 0.07 acres of impervious cover, and only if necessary for access from City Park Road.
- iv. In no case may impervious cover on Tract 3 exceed 3.49 acres.”

Ordinance No. 20181101-009 was approved as amended above on Council Member Alter’s motion, Council Member Kitchen’s second on a 10-0 vote. Council Member Pool was off the dais.

Mayor Adler adjourned the meeting at 10:05 p.m. without objection.

The minutes were approved on this the 15th day of November 2018 on Council Member Alter’s motion, Council Member Houston’s second on a 10-0 vote. Council Member Tovo was off the Dias.