



**AUSTIN CITY COUNCIL  
MINUTES**

**REGULAR MEETING  
THURSDAY, FEBRUARY 1, 2024**

**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, February 1, 2024, at Austin City Hall, 301 W. 2nd Street, Austin, TX.**

**PROCLAMATIONS**

Proclamation – Fred Korematsu Day of Civil Liberties & the Constitution – To be presented by Council Member José “Chito” Vela and to be accepted by Karen Korematsu, daughter of Fred Korematsu and Executive Director of the Korematsu Institute

Proclamation – American Heart Month – To be presented by Council Member Mackenzie Kelly

Proclamation – Emergency Preparedness Week – To be presented by Council Member Mackenzie Kelly

Distinguished Service Award – Diane McCrary LaGrone – To be presented by Council Member Mackenzie Kelly

Distinguished Service Award – Commander Mikel Kane – To be presented by Council Member Mackenzie Kelly

**Mayor Watson called the Council Meeting to order at 10:00 a.m.**

**CONSENT AGENDA**

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

**Council Member Qadri was off the dais when the consent agenda was acted on. A motion to allow Council Member Qadri to be shown as voting with the majority on the consent agenda was made by Mayor Watson, seconded by Mayor Pro Tem Pool, and approved on an 11-0 vote.**

1. Approve the minutes of the Austin City Council work session 54 of January 16, 2024, and regular meeting of January 18, 2024.  
**The motion to approve the minutes of the Austin City Council work session of January 16, 2024, and regular meeting of January 18, 2024, was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**
2. Approve an ordinance amending City Code Chapter 3-1 relating to animal reporting requirements, impoundment procedures, public safety measures, and definitions in order to help create efficiencies within the Animal Services Office.  
**Ordinance No. 20240201-002 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**
3. Approve an ordinance ordering special municipal elections to be held for six different areas in the City of Austin on May 4, 2024, on the question of disannexing each of those six areas; providing for the conduct of the special elections; authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the elections; and declaring an emergency.  
**Ordinance No. 20240201-003 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**
4. Authorize negotiation and execution of two contracts for tree growth regulator services with Edko LLC and T&S Growth Solutions LLC, each for up to three years for total contract amounts not to exceed \$5,000,000, divided between the contractors. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B (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]. January 22, 2024- Not Recommended by the Electric Utility Commission on a 5-1 vote with Vice Chair White voting against, Commissioners Alvarez, Blackburn and Chapman absent, and two vacancies.  
**The motion authorizing negotiation and execution of two contracts with Edko LLC and T&S Growth Solutions LLC was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**
5. Authorize execution of a contract for hydrogen peroxide solution, feed system, and maintenance with US Peroxide LLC d/b/a USP Technologies, for a term of five years in an amount not to exceed \$3,275,000. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program). For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].  
**The motion authorizing execution of a contract with US Peroxide LLC doing business as USP Technologies was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**
6. Authorize execution of two contracts for batteries, battery banks, and battery testing services with Direct Current Preventive Maintenance LLC d/b/a DCPM and Exponential Power Inc., each for up to five years for total contract amounts not to exceed \$3,500,000, divided between the contractors. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B (Minority-

Owned and Women-Owned Business Enterprise Procurement Program). For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established]. January 22, 2024- Recommended by the Electric Utility Commission on a 6-0 vote with Commissioners Alvarez, Blackburn, and Chapman absent and two vacancies.

**The motion authorizing execution of two contracts with Direct Current Preventive Maintenance LLC doing business as DCPM and Exponential Power Inc. was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

7. Authorize an amendment to the Local Mobility ADA Sidewalk and Ramp Improvements Group 26 IDIQ construction contract with Alpha Paving Industries LLC, to increase the amount by \$7,500,000 for a revised total contract amount not to exceed \$37,500,000. [Note: This contract was awarded in compliance with City Code 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 14.41% MBE and 0.05% WBE].

**The motion authorizing an amendment to the Local Mobility ADA Sidewalk and Ramp Improvements Group 26 IDIQ construction contract with Alpha Paving Industries LLC was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

8. Authorize an amendment to the construction contract for the Airport Boulevard - North Lamar Boulevard to 55th Street project with DeNucci Constructors LLC, to increase the amount by \$900,000, for a revised total contract amount not to exceed \$14,983,876. [Note: This request is for additional expenditure authority only. MBE/WBE goals will be established if a change order is requested]. District(s) Affected: District 4.

**The motion authorizing an amendment to the construction contract for the Airport Boulevard - North Lamar Boulevard to 55th Street project with DeNucci Constructors LLC was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

9. Ratify a contract for emergency management consulting and disaster response services with Tetra Tech, Inc., in the amount of \$85,000, and authorize an amendment for continued services in the amount of \$630,000, for a revised total contract amount not to exceed \$2,138,140. [Note: This contract is exempt from the City Code Chapter 2-9B (Minority-Owned and Women-Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established].

**The motion ratifying a contract with Tetra Tech, Inc. was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

10. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire an approximately 490.716 acre tract of conservation easement, generally located in the Onion Creek Watershed, that runs to the west along FM 150 and south of Onion Creek, from Frank W. Zimmerman, Jr., M.D. and Janice Zimmerman, Trustees, under the Lazy Z Ranch Revocable Trust, for a total amount not to exceed \$6,141,000 including closing costs.

**The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to acquire an approximately 490.716 acre tract of conservation easement, generally located in the Onion Creek Watershed, that runs to the west along FM 150 and south of Onion Creek, from Frank W. Zimmerman,**

**Jr., M.D. and Janice Zimmerman, Trustees, under the Lazy Z Ranch Revocable Trust was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

11. Approve a resolution related to an application by Bailey at Berkman LP, or an affiliated entity, for competitive 9% Low Income Housing Tax Credits for a new construction development to be known as Bailey at Berkman located at or near 6405 Berkman Drive, Austin, Texas 78723, and related to the allocation of housing tax credits within the city of Austin and near the proposed development. District(s) Affected: District 4.  
**Resolution No. 20240201-011 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**
12. Approve a resolution related to an application by Bailey at Stassney LP, or an affiliated entity, for competitive 9% Low Income Housing Tax Credits for a new construction development to be known as Bailey at Stassney located at or near 400 and 404 West Stassney Lane, Austin, Texas 78745, and related to the allocation of housing tax credits within the city of Austin and near the proposed development. District(s) Affected: District 3.  
**Resolution No. 20240201-012 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**
13. Approve a resolution related to an application by Eberhart Place Senior Housing Limited Partnership, or an affiliated entity, for competitive 9% Low Income Housing Tax Credits for a rehabilitation development to be known as Eberhart Place located at or near 808 Eberhart Lane, Austin, Texas 78745, and related to the allocation of housing tax credits within the city of Austin and near the proposed development. District(s) Affected: District 2.  
**Resolution No. 20240201-013 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**
14. Approve a resolution related to an application by Eden Gardens on 12th LP, or an affiliated entity, for competitive 9% Low Income Housing Tax Credits for a new construction and rehabilitation development to be known as Eden Gardens located at or near 3129 East 12th Street, Austin, Texas 78702, and related to the allocation of housing tax credits within the city of Austin and near the proposed development. District(s) Affected: District 1.  
**Resolution No. 20240201-014 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**
15. Approve a resolution related to an application by FC Highland Housing, LP, or an affiliated entity, for competitive 9% Low Income Housing Tax Credits for a new construction development to be known as Highland Studios located at or near 5900 and 5906 Airport Boulevard, Austin, Texas 78752, and related to the allocation of housing tax credits within the City's jurisdiction and near the proposed development. District(s) Affected: District 4.  
**Resolution No. 20240201-015 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**
16. Approve a resolution related to an application by FC Mary Lee Housing LP, or an affiliated entity, for competitive 9% Low Income Housing Tax Credits for a new construction and rehabilitation development units to be known as Mary Lee Square Phase

I located at or near 1326, 1328, 1332, and 1342 Lamar Square Drive, Austin, Texas 78704, and related to the allocation of housing tax credits within the City's jurisdiction and near the proposed development. District(s) Affected: District 9.

**Resolution No. 20240201-016 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

17. Approve a resolution related to an application by Ovetta Rosedale LLC, or an affiliated entity, for competitive 9% Low Income Housing Tax Credits for a new construction development to be known as Ovetta Rosedale located at or near 4202-4210 Medical Parkway, Austin, Texas 78756, and related to the allocation of housing tax credits within the City's jurisdiction and near the proposed development. District(s) Affected: District 10.

**Resolution No. 20240201-017 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

18. Approve a resolution related to an application by Pathways at Santa Rita Courts East, LP, or an affiliated entity, for competitive 9% Low Income Housing Tax Credits for a new construction development to be known as Pathways at Santa Rita Courts East located at or near 2341 Corta Street, Austin, Texas 78702, and related to the allocation of housing tax credits within the City's jurisdiction and near the proposed development. District(s) Affected: District 3.

**Resolution No. 20240201-018 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

19. Approve a resolution related to an application by Pathways at Santa Rita Courts West, LP, or an affiliated entity, for competitive 9% Low Income Housing Tax Credits for a new construction development to be known as Pathways at Santa Rita Courts West, located at or near 2210 East 2nd Street, Austin, Texas 78702, and related to the allocation of housing tax credits within the City's jurisdiction and near the proposed development. District(s) Affected: District 3.

**Resolution No. 20240201-019 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

20. Approve a resolution related to an application by FC Rutledge Phase III Housing, LP, or an affiliated entity, for competitive 9% housing tax credits for a new construction development to be known as Rutledge Apartments, located at or near 13641 Rutledge Spur, Austin, Texas 78717, and related to the allocation of housing tax credits within the City and near the proposed development. District(s) Affected: District 6.

**Resolution No. 20240201-020 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

21. Approve a resolution related to an application by Austin St. Martin DMA Housing, LLC, or an affiliated entity, for competitive 9% Low Income Housing Tax Credits for a new construction development to be known as St. Martin's Senior Housing located at or near 700 West 15th Street, Austin, Texas 78701, and related to the allocation of housing tax credits within the City's jurisdiction and near the proposed development. District(s) Affected: District 9.

**Resolution No. 20240201-021 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

22. Authorize an increase to a professional services agreement for legal services with Dykema Gossett PLLC related to the 2023 binding interest arbitration proceeding between the City and the Austin Firefighters Association in the amount not to exceed \$350,000.00, for a total contract amount not to exceed \$1,025,000.00.

**The motion authorizing an increase to a professional services agreement for legal services with Dykema Gossett PLLC was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

**Item 23 was pulled for discussion.**

24. Authorize negotiation and execution of a Parkland Improvement Agreement with The Trail Conservancy for park improvements in the Edward Rendon, Sr. Park at Festival Beach in an amount not to exceed \$889,000. District(s) Affected: District 3, District 5, District 8, District 9, District 10. January 22, 2024 – The Parks and Recreation Board recommended on an 8-0 vote with two Board Members abstaining and one Board Member absent.

**The motion authorizing negotiation and execution of a Parkland Improvement Agreement with The Trail Conservancy was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

25. Approve an interlocal agreement with Travis County on a planning and implementation partnership for the Northeast Planning District.

**This item was postponed to February 15, 2024, on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

26. Approve a resolution initiating amendments to City Code Title 25 to create a new zoning district for a density bonus program, to amend the East Riverside Corridor Regulating Plan, to modify downtown parking regulations, and to create and apply an Equitable Transit-Oriented Development (ETOD) overlay along the Project Connect Phase 1 Light Rail Transit Investment; and initiating any necessary amendments to the Imagine Austin Comprehensive Plan.

**Withdrawn and replaced by Item 54.**

27. Approve an ordinance relating to joint public hearings between the City Council and the Planning Commission for changes to City Code Chapter 25-2 (Zoning), establishing the notice requirements for joint public hearings, and waiving City Code Sections 25-1-501 (Initiation of Amendment) and 25-1-502 (Amendment and Review).

**Ordinance No. 20240201-027 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

28. Approve a resolution approving the appointment of a member of the police reserve force.

**Resolution No. 20240201-028 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

29. Authorize negotiation and execution of an interlocal agreement with Travis County and the Austin-Travis County Sobriety Center Local Government Corporation d/b/a the Sobering Center for the operation and management of a sobering center, for an initial six-month term beginning on April 1, 2024 in an amount not to exceed \$1,251,394, with four 12-month extension options each in an amount not to exceed \$2,353,789, for a total agreement amount not to exceed \$10,592,051.

**Withdrawn.**

30. Authorize negotiation and execution of Amendment No. 1 to the agreement with AIDS Services of Austin, Inc. d/b/a AIDS Services of Austin or Vivent Health to provide HIV-related medical/support services, to add one-time funding to the 12-month term beginning March 1, 2023 in an amount not to exceed \$282,264, for a revised total agreement amount not to exceed \$5,641,604.  
**The motion authorizing negotiation and execution of Amendment No. 1 to the agreement with AIDS Services of Austin, Inc. doing business as AIDS Services of Austin or Vivent Health was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**
31. Approve an ordinance amending the Fiscal Year 2023-2024 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20230818-008) to accept and appropriate \$1,015,700 in grant funds from the Texas Department of State Health Services for the COVID-19 Public Health Workforce Expansion Grant.  
**Ordinance No. 20240201-031 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

### **ITEM(S) FROM COUNCIL**

32. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws.  
**The following appointments and waivers were approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

### **Nominations**

<b>Board/Nominee</b>	<b>Nominated by</b>
<b><u>Asian American Quality of Life Advisory Commission</u></b> Luan Tran	Council Member Kelly
<b><u>Building and Standards Commission</u></b> Bianca Medina-Leal	Council Member Fuentes
<b><u>Design Commission</u></b> Chi Lee	Council Member Kelly
<b><u>Mayor's Committee for People with Disabilities</u></b> Lisa Chang	Council Member Fuentes
<b><u>Small Area Planning Joint Committee</u></b> Betsy Greenberg	Zoning and Platting Commission
<b><u>South Central Waterfront Advisory Board</u></b> Ryan Puzycki	Joint Appointment - Mayor Watson and Council Member Qadri

### Waivers

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Bianca Medina-Leal. The waiver allows simultaneous service on the Building and Standards Commission and Construction Advisory Committee.

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Chi Lee. The waiver allows simultaneous service on the Design Commission and Impact Fee Advisory Committee.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Luan Tran on the Asian American Quality of Life Advisory Commission.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Vanessa Maldonado on the Hispanic/Latino Quality of Life Resource Advisory Commission. The waiver includes absences through today's date.

Approve a waiver under Section 2-1-27(E) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for the following persons appointed to a City board if the person completes the training required by Section 2-1-23 on or before March 4, 2024:

Virginia Badillo	Commission on Immigrant Affairs
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### Council Committee Membership

#### Additions:

#### **Austin Water Oversight Committee:**

Mayor Kirk Watson

### ITEM(S) TO SET PUBLIC HEARING(S)

33. Set a public hearing to consider an ordinance amending City Code Title 25 to create new density bonus zoning district that provides development-related incentives in exchange for community benefits, including affordable housing. (Suggested date: February 29, 2024, at Austin City Hall, 301 W. Second Street, Austin, Texas).  
**The public hearing was set for Thursday, February 29, 2024, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

### AGENDA ADDENDUM

53. Approve an ordinance amending City Code Title 25 related to fee waivers for a development that complies with the City's S.M.A.R.T. Housing Program; and waiving City Code Section 25-1-502 related to amending City Code Title 25.  
**Ordinance No. 20240201-053 was approved on consent on Council Member Vela's motion, Council Member Ryan Alter's second on an 11-0 vote.**

**Mayor Watson recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 11:58 a.m. See separate minutes.**

**AUSTIN HOUSING AND FINANCE CORPORATION MEETING**

34. 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 Watson reconvened the Council Meeting at 12:02 p.m.**

**PUBLIC COMMUNICATION: GENERAL**

Kolby Duhon – Tbd – **Not Present.**

Ronnie Gelman – TBD – **Present.**

Crystal Silva McCormick – tbd – **Present.**

Luai Abou-Emara – Ceasefire – **Present.**

Gabriel Fine - Ceasefire in Gaza – **Present.**

Joshua Sklar - Ceasefire resolution – **Present.**

Aviv Rau - Ceasefire resolution – **Present.**

Sophia Schlesinger - ceasefire resolution – **Present.**

Saja Naser - Palestine, Ceasefire now – **Present.**

Pavityr Deol - Tbd – **Present.**

**Mayor Watson recessed the Council Meeting at 12:33 p.m. without objection.**

**LIVE MUSIC**

Blackillac

**Mayor Watson reconvened the Council Meeting at 1:01 p.m.**

**PUBLIC HEARINGS AND POSSIBLE ACTIONS**

35. Conduct a public hearing and consider an ordinance amending City Code Title 25 to modify minimum bicycle parking requirements to be consistent with the Austin Strategic Mobility Plan mode split goals, per the Urban Transportation Commission's recommendation.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20240201-035 was approved on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Alison Alter was off the dais.**

36. Conduct a public hearing and consider an ordinance regarding site-specific amendments to City Code Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative), as minimally required to address the re-subdivision and development of 1905 and 1908 Airole Way, located in the Barton Springs Zone.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20240201-036 was approved on Council Member Qadri's motion, Council Member Vela's second on a 10-0 vote. Council Member Alison Alter was off the dais.**

### **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.**

37. Discuss legal issues related to Dirty Martin's et al. v. Mayor Kirk Watson et al., Cause No. D-1-GN-23-008105 in the 455th Judicial District of Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).  
**Withdrawn.**
38. Discuss legal issues related to Acuna et al v. City of Austin et al., Cause No. D-1-GN-19-008617 in the 201st Judicial District of Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).  
**Withdrawn.**

### **DISCUSSION ITEM**

23. Approve an ordinance related to pay and benefits for officers of the Austin Police Department.  
**A motion to approve the ordinance was made by Council Member Kelly and seconded by Council Member Vela.**

**An amendment to include direction as follows was made by Council Member Fuentes and seconded by Council Member Velásquez.**

**"The City Manager is directed to identify and allocate funding from the Austin Police Department FY 2024 Base Budget or current General Fund budget appropriations for Public Safety without impacting other department budgets for all costs related to this ordinance including the increased Field Trainings Officer pay as described in PART 2 (B) and the incentives described in PART 4 (B)."**

**The amendment was included without objection.**

**Ordinance No. 20240201-023 was approved as amended on Council Member Kelly's motion, Council Member Vela's second on a 9-0 vote. Council Members Harper-Madison and Qadri abstained.**

### **ZONING AND NEIGHBORHOOD PLAN AMENDMENTS**

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

39. NPA-2023-0010.01 - 518 N. Pleasant Valley Road - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-43 the Holly 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 518 North Pleasant Valley Road and 507 Calles Street (Boggy Creek and Lady Bird Lake Watershed) from Industry to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use land use. Owners/Applicants: 507 Calles St. (Austin) Owner, LLC. Agent: Armbrust and Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Maureen Meredith, Planning Department, (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. 20240201-039 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**

40. C14-2023-0111 - 518 N. Pleasant Valley Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 518 North Pleasant Valley Road and 507 Calles Street (Boggy Creek and Lady Bird Lake Watersheds). Applicant's Request: To rezone from limited industrial service-conditional 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 and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner/Applicant: 507 Calles St. (Austin) Owner, LLC. Agent: Armbrust and Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Jonathan Tomko, Planning Department, (512) 974-1057. District(s) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20240201-040 for general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning with the following staff amendment was approved on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**

**The amendment was to revise the caption of the draft ordinance and Part 1 to include a conditional overlay (CO), add a new Part 2 and Part 3 as follows, and renumber the remaining sections accordingly.**

**"PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:**

**(A) The following uses are prohibited uses of the Property:**

<b>Adult-oriented businesses</b>	<b>Campground</b>
<b>Convenience storage</b>	<b>Exterminating services</b>
<b>Kennels</b>	<b>Pawn shop services</b>

**(B) The following uses are conditional uses of the Property:**

**Automotive washing (of  
any type)**

**Commercial off-street  
parking**

**PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district, the mixed use combining district, and other applicable requirements of the City Code.”**

41. C14-2023-0048 - 7500 Burnet Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7500 Burnet Road (Shoal Creek Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to general commercial services-mixed use-vertical mixed use building (CS-MU-V) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning. Owner/Applicant: 7500 Burnet LP, (Anthony Clarke). Agent: Alice Glasco Consulting, (Alice Glasco). City Staff: Nancy Estrada, Planning Department, 512-974-7617. District(s) Affected: District 7.

**The public hearing was conducted and a motion to approve the ordinance on first reading only with the following staff amendment was approved on Council Member Harper-Madison’s motion, Council Member Velásquez’s second on an 11-0 vote.**

**The amendment was to revise PART 2 to add the following prohibited uses:**

**“Outdoor Entertainment**

**Outdoor Sports and Recreation**

**Theater”**

42. C14-77-138(RCT) - 10601 N Lamar Blvd. RCT - Conduct a public hearing and approve a restrictive covenant termination for the property locally known as 10601 and 10601 1/2 North Lamar Boulevard (Little Walnut Watershed). Applicant Request: To terminate the public restrictive covenant associated with zoning case C14-77-138. Staff Recommendation and Planning Commission Recommendation: To grant the public restrictive covenant termination. Owner/Applicant: CSW 10601 N Lamar, LP. Agent: Drenner Group, PC, Amanda Swor. City Staff: Sherri Sirwaitis, 512-974-3057.

**The public hearing was conducted and a motion to close the public hearing and to grant the public restrictive covenant termination was approved on Council Member Harper-Madison’s motion, Council Member Velásquez’s second on an 11-0 vote.**

43. C14-00-2195(RCA) (Formerly known as C14-00-2195 (RCT) - Waterline - Conduct a public hearing and approve an amendment to a public restrictive covenant on a property locally known as 92 Red River Street (Waller Creek Watershed). Applicant Request: To amend the public restrictive covenant associated with zoning case C14-00-2195. Staff Recommendation and Planning Commission Recommendation: To amend the public restrictive covenant associated with zoning case C14-00-2195. Owner/Applicant: Waller

Creek Owner, LLC. Agent: Armbrust & Brown PLLC, Richard Suttle, Jr. City Staff: Jonathan Tomko, 512-974-1057.

**This item was postponed to February 15, 2024, at the request of the Applicant on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**

44. NPA-2023-0020.03 - 300-440 Industrial Blvd. - Conduct a public hearing and approve an ordinance amending Ordinance No. 20050818-Z001 the South Congress 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 300, 400, 436 and 440 Industrial Blvd and 4211 Willow Springs Road (Blunn Creek Watershed) from Industry to Mixed Use land use. Staff and Planning Commission recommendation: To grant Mixed Use land use. Owner/Applicant: LEIFINDUS300, LLC; LEIFINDUS440, LLC. Agent: Drenner Group, PC (Leah Bojo). City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

**The public hearing was conducted and a motion to approve the ordinance on first reading only was approved on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**

45. C14-2023-0044 - 300-440 Industrial Blvd. - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 300, 400, 436, and 440 Industrial Boulevard and 4211 Willow Springs Road (Blunn Creek Watershed). Applicant Request: To rezone from limited industrial service-neighborhood plan (LI-NP) combining district zoning to limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Owner/Applicant: LEIFINDUS300, LLC; LEIFINDUS440, LLC (Maxwell Leifer). Agent: Drenner Group, PC (Leah M. Bojo). City Staff: Nancy Estrada, Planning Department, 512-974-7617.

**The public hearing was conducted and a motion to approve the ordinance on first reading only with the following staff amendment was approved on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**

**The amendment was to revise PART 4 (B) to remove Commercial off-street parking as a prohibited use.**

46. C14-2023-0046 - 600 Industrial Blvd. - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 506 and 600 Industrial Boulevard and 4138 1/2 Terry O Lane (Blunn Creek Watershed). Applicant Request: To rezone from limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, to change conditions of zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, to change conditions of zoning. Owner/Applicant: LEIDEV600 TIC, LLC; 728 Post Road, LLC; BMARS Holdings, LLC (Maxwell Leifer). Agent: Drenner Group, PC (Leah M. Bojo). City Staff: Nancy Estrada, Planning Department, 512-974-7617.

**The public hearing was conducted and a motion to approve the ordinance on first reading only was approved on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**

47. NPA-2023-0020.01 - 4201 S Congress - Conduct a public hearing and approve an ordinance amending Ordinance No. 20050818-Z001 the South Congress 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 4201 South Congress Avenue (Williamson Creek and Blunn Creek Watershed) from Industry to Mixed Use land use. Staff and Planning Commission recommendation: To grant Mixed Use land use. Owner/Applicant: 300 Industrial: 4201 S Congress Ave Owner, LLC, a Delaware limited liability company. Agent: Armbrust & Brown, PLLC (Ferris Clements). City Staff: Maureen Meredith, Planning Department, (512) 974-2695. **The public hearing was conducted and a motion to approve the ordinance on first reading only was approved on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**

48. C14-2023-0043 - 4201 South Congress - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4201 South Congress Avenue (Williamson Creek and Blunn Creek Watershed). Applicant Request: To rezone from limited industrial service-neighborhood plan (LI-NP) combining district zoning and limited industrial service-conditional 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 and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner/Applicant: 4201 S. Congress Ave Owner, LLC (Gavin Greenblum). Agent: Armbrust & Brown, PLLC (Ferris Clements). City Staff: Nancy Estrada, Planning Department, 512-974-7617. **The public hearing was conducted and a motion to approve the ordinance on first reading only was approved on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**

49. NPA-2023-0029.01 - 6121 N. Interstate Highway 35 - Approve third reading of an ordinance amending Ordinance No. 20120426-100 the St. John/Coronado Hills Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6121 and 6121 1/2 North Interstate Highway 35 Service Road Northbound (Tannehill Branch Watershed) from Mixed Use to High Density Mixed Use land use. First Reading approved December 14, 2023. Vote: 10-0, Council Member Ryan Alter absent. Second Reading approved January 18, 2024. Vote: 11-0. Owner/Applicant: ASAP Austin, LLC. Agent: Drenner Group, PC (David J. Anderson). City Staff: Tyler Tripp, Planning Department, (512) 974-3362. District(s) Affected: District 4. **Ordinance No. 20240201-049 to change the land use designation on the future land use map (FLUM) to High Density Mixed Use land use was approved on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**

50. C14-2023-0063 - 6121 N. IH-35 - Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 6121 and 6121 1/2 North Interstate Highway 35 Service Road Northbound (Tannehill Branch Watershed). Applicant Request: To rezone from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning and commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning to commercial highway services-planned development area-neighborhood plan (CH-PDA-NP) combining district zoning. First Reading approved December 14, 2023. Vote: 10-0, Council Member Ryan Alter absent. Second Reading approved January 18, 2024. Vote: 11-0. Owner/Applicant: ASAP Austin, LLC. Agent: Drenner Group, PC (David Anderson). City Staff: Jonathan Tomko, Planning Department, 512-974-1057. District(s) Affected: District 4.  
**Ordinance No. 20240201-050 for commercial highway services-planned development area-neighborhood plan (CH-PDA-NP) combining district zoning was approved on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**
51. NPA-2023-0015.01 - FM 969 - Approve second and third readings of an ordinance amending Ordinance No. 021107-Z-11 the East MLK 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 6314 and 6400 FM 969 (Walnut Creek Watershed) from Mixed Residential to Mixed Use land use. First reading approved January 18, 2024. Vote: 11-0. Owner/Applicant: 6400 FM 969, LLC (Anthony Clark). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, Planning Department, (512) 974-2695. District(s) Affected: District 1.  
**Ordinance No. 20240201-051 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**
52. C14-2023-0087 - FM 969 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 6314 and 6400 FM 969 Road (Walnut Creek Watershed). Applicant's Request: To rezone from commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning; commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning; neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning; general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning; general office-neighborhood plan (GO-NP) combining district zoning; multifamily residence-low density-neighborhood plan (MF-2-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. First Reading approved January 18, 2024. Vote: 11-0. Owner/Applicant: 6400 FM 969, LLC (Anthony Clarke). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Jonathan Tomko, Planning Department, 512-974-1057. District(s) Affected: District 1.  
**Ordinance No. 20240201-052 for general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning was approved on Council Member Harper-Madison's motion, Council Member Velásquez's second on an 11-0 vote.**

**DISCUSSION ITEMS CONTINUED**

54. Approve a resolution initiating amendments to City Code Title 25 to create a new zoning district for a density bonus program, to amend the East Riverside Corridor Regulating Plan, to modify downtown parking regulations, and to create and apply an Equitable Transit-Oriented Development (ETOD) overlay along properties located near and on Project Connect Phase 1 Light Rail Transit and the Priority Extensions for Light Rail Transit; and initiating any necessary amendments to the Imagine Austin Comprehensive Plan.

**A motion to approve the resolution was made by Council Member Vela and seconded by Council Member Velásquez.**

**The following amendment was made by Council Member Vela and seconded by Council Member Qadri.**

**The amendment was to revise lines 117 through 120 to read:**

**“2. Addresses conflicting regulations, including Neighborhood Conservation Combining Districts, that apply to non single family zoned properties when those regulations are more restrictive;”**

**The amendment was also to revise lines 122 through 125 to read:**

**“4. Creates a density bonus program that applies to non single family zoned properties within the ETOD when the development will provide community benefits that are aligned with recommendations in the ETOD Policy Plan, including affordable housing; and”**

**The amendment was approved on a 10-1 vote. Council Member Kelly voted nay.**

**The following amendment was made by Council Member Vela and seconded by Mayor Pro Tem Pool.**

**The amendment was to add the following after line 135:**

**“6. Explore, and, if feasible, include incentives and additional entitlements for providing affordable ground floor commercial and/or community spaces.”**

**The amendment was approved on a 10-1 vote. Council Member Kelly voted nay.**

**The following amendment was made by Council Member Vela and seconded by Council Member Velásquez.**

**The amendment was to add the following after line 135:**

**“7. Consider including additional incentives for adding transit supportive features and infrastructure.”**

**The amendment was approved on an 11-0 vote.**

**The following amendment was made by Council Member Vela and seconded by Mayor Pro Tem Pool.**

The amendment was to revise lines 57 through 60 to read:

**“1. Include regulations that support transit within ETOD station areas, as described in the ETOD Policy Plan, and encourage, to the extent feasible, new development that creates more affordable units at the same or greater level of affordability than the existing income-restricted and market-rate affordable housing within the ERC boundaries;”**

The amendment was also to revise lines 110 through 114 to read:

**“The City Council initiates amendments to City Code Title 25 (Land Development) to create an ETOD Overlay that includes regulations that support transit within the ETOD station areas while attempting to create more new affordable units at the same or greater level of affordability than the existing income-restricted and market-rate affordable housing within the ETOD Overlay and:”**

The amendment was approved on a 9-0 vote. Council Members Alison Alter and Kelly abstained.

The following amendment was made by Council Member Qadri and seconded by Council Member Vela.

The amendment was to revise lines 83 through 90 to read:

**“1. modifying downtown parking requirements so that a portion of above-ground structured parking is included as part of the development’s Floor Area Ratio (FAR) calculation while considering increases in FAR and other development entitlements to address the impact of including above-ground structured parking in a development’s FAR calculation;  
2. implementing parking soft caps and requiring a fee for parking built above soft caps;  
3. reducing the maximum motor vehicle parking allowed for a development downtown from the existing maximums in City Code Chapter 25-6, Article 7, Division 5; and  
4. requiring developers to decouple parking as part of the gatekeeper requirements for the Downtown Density Bonus Program.”**

The amendment was approved on a 10-1 vote. Council Member Kelly voted nay.

The following amendment was made by Council Member Qadri and seconded by Council Member Ellis.

The amendment was to add the following at line 130:

**“ii. Consider a bonus option above 120 feet in total height, and”**

A friendly amendment was made by Council Member Alison Alter and seconded by Council Member Qadri.

The amendment was to add the following at line 130:

**“ii. Consider a bonus option above 120 feet in total height, where appropriate, and”**

**The friendly amendment was approved on an 11-0 vote.**

**Council Member Qadri’s amendment as amended was approved on an 11-0 vote.**

**Resolution No. 20240201-054 was approved as amended on Council Member Vela’s motion, Council Member Velásquez’s second on a 10-1 vote. Council Member Kelly voted nay.**

**Mayor Watson adjourned the meeting at 2:59 p.m. without objection.**

**The minutes were approved on this the 15<sup>th</sup> day of February 2024 on Council Member Ryan Alter’s motion, Council Member Harper-Madison’s second on an 11-0 vote.**