

AUSTIN CITY COUNCIL
MINUTESREGULAR MEETING
THURSDAY, FEBRUARY 15, 2007

Invocation: APD Chaplain David Culp

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 15, 2007 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:22 a.m.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Martinez' motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

1. Approval of the minutes of the Austin City Council from the regularly scheduled meeting of February 1, 2007.
The minutes from the regularly scheduled meeting of February 1, 2007 were approved.
2. Authorize execution of a 12-month Economic Development Agreement with ATI-WIRELESS, a division of the Austin Technology Incubator, a project of the University of Texas, Austin, TX, in an amount not to exceed \$200,000, to provide strategic business consulting services to Austin high technology startups to foster economic development and job creation. Funding is available in the Fiscal Year 2006-2007 Operating Budget of the Financial Services Office.
The motion authorizing the execution of an economic development agreement was approved.

Item 3 was pulled for discussion.

4. Adopt an ordinance to establish classifications and positions in the classified service of the Austin Fire Department eliminating positions, creating positions, and repealing Ordinance No. 20060911-005, and declaring an emergency. Funding in the amount of \$54,937 is available in the Fiscal Year 2006-2007 Operating Budget of the Austin Fire Department. A fiscal note is not required.
Ordinance No. 20070215-004 was approved.
5. Approve an amendment to the outside counsel contract with Scott, Douglass & McConnico, LLP, Austin, TX, for legal counsel concerning development at Northcross Mall, in an amount of \$175,000, for a total contract amount of \$224,000. Funding in the amount of \$175,000 is available in the Liability Reserve Fund.
The motion authorizing an amendment to the outside counsel contract was approved.

6. Authorize acceptance of grant funds from the Lead Hazard Reduction Demonstration Program of the United States Department of Housing and Urban Development in the amount of \$3,761,662.00; and amend the Fiscal Year 2006-2007 Operating Budget of the Neighborhood Housing and Community Development Special Revenue Fund of Ordinance No. 20060911-001 to appropriate \$3,761,662.00 for the City's LeadSMART Program to be used to provide lead testing and lead hazard control services. Funding in the amount of \$3,761,662 is available from the U.S. Department of Housing and Urban Development Office of Healthy Home and Lead Hazard Control. Funding in the amount of \$940,464 is provided as a local match using CDBG funds and in-kind services.
Ordinance No. 20070215-006 was approved.
7. Approve a resolution authorizing the fee simple acquisition of Lot 26, Block H, Onion Creek Forest, Section 4, a subdivision in Travis County, Texas, located at 6903 South Pleasant Valley Road, from Abron and Edith Mack for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in an amount not to exceed \$97,000 for the land and improvements. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20070215-007 was approved.
8. Approve a resolution authorizing the fee simple acquisition of Lot 25, Block H, Onion Creek Forest, Section 4, a subdivision in Travis County, Texas, located at 6905 South Pleasant Valley Road, from Abron and Edith Mack for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$100,000 for the land and improvements. Funding is available in Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20070215-008 was approved.
9. Approve a resolution authorizing the fee simple acquisition of Lot 3, Block J, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 6907 Onion Crossing Drive from Bill and Sophie Roberts for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$125,000 for the land and improvements and \$46,900 owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$181,900. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20070215-009 was approved.
10. Approve a resolution authorizing the fee simple acquisition of Lot 15, Block D, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 6905 Shady Cedar Drive from Kathryn A. Webb for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$60,000, for the land and improvements and \$22,000 for owner assisted relocation benefits, plus moving related expenses not to exceed \$20,000, for a total amount not to exceed \$102,000. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review.
Resolution No. 20070215-010 was approved.
11. Approve a resolution authorizing the fee simple acquisition of Lot 3, Block G, Onion Creek, Texas, located at 5305 Sand Hill Drive, from John and Linda Hutson for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$55,000 for the land and improvements and \$34,900 owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000 and handicap modifications not to exceed \$50,000, for a total amount not to exceed \$149,900. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20070215-011 was approved.

12. Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC. (DBE 80.82%) Austin, TX, for construction of portions of the Lance Armstrong Bikeway in the amount of \$1,222,843.17 plus a \$61,142.16 contingency, for a total contract amount not to exceed \$1,283,985.33. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Public Works Department. Lower of two bids received. This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goal. 4.28% DBE subcontractor participation. Recommended by the Urban Transportation Commission (July 1999), the Planning Commission (July 1999), the Capital Area Metropolitan Planning Organization (July 1999), the Environmental Board (July 1999) and the Parks and Recreation Department Board (May 2006).
The motion authorizing the execution of a construction contract was approved.
13. Authorize execution of a construction contract with LAUGHLIN-THYSSEN LTD, Houston, TX, for the Austin Clean Water Program: Govalle 1 - West Lamar Area Wastewater Improvements Project in the amount of \$3,198,880 plus a \$159,944 contingency, for a total contract amount not to exceed \$3,358,824. Funding is available in the Fiscal Year 2006-2007 Capital Improvement Budget of the Austin Water Utility. Lowest of three bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Woman-Owned Business Enterprise Procurement Program) by meeting the goals. 11.69 % MBE and 3.69% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract was approved.
14. Authorize execution of an Interlocal Agreement between the City and Williamson County for the extension of Lakeline Boulevard from Lyndhurst Street to Lakeline Boulevard/Neenah Avenue.
The motion authorizing the execution of an interlocal agreement was approved.

Item 15 was pulled for discussion.

16. Approve an ordinance to establish a Quiet Zone eliminating the need to sound train horns or other warning devices within one-quarter mile of at the Union Pacific Railroad crossing at Dittmar Road.
Ordinance No. 20070215-016 was approved.
17. Authorize award and execution of Amendment No. 5 to a contract with TRITECH SOFTWARE SYSTEMS, San Diego, CA, to purchase additional software licenses, system installation services, and software maintenance in an amount not to exceed \$208,217.50, and increase the remaining two extension options in an amount not to exceed \$34,870, per extension option, for a revised total contract amount not to exceed \$4,223,294.40. Funding in the amount of \$243,087.50 is available in the Fiscal Year 2006-2007 Capital Budget of the Financial and Administrative Services Department, Communications and Technology Management Office. Funding for the remaining extension option is contingent upon available funding in future budgets. Contract Amendment. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.
The motion authorizing the award and execution of amendment number 5 to a contract was approved.
18. Authorize award, negotiation, and execution of a contract with MGT OF AMERICA, INC., Austin, TX, for professional consulting services to evaluate the police public safety operations and administration in an amount not to exceed \$315,243. Funding of \$200,000 is available in the Fiscal Year 2006-2007 Operating Budget of the Office of the City Auditor. The appropriation of the remaining required funding of \$115,243 is included in related item #29 on this agenda. Best evaluated response of three responses received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-

Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Audit and Finance Subcommittee. (Related to item #29).

The motion authorizing the award, negotiation, and execution of a contract was approved.

19. Approve issuance of a Street Event Permit for a fee paid event in the 200 block of West 4th Street for a Fado Irish Pub fundraising event scheduled for March 17, 2007. There is no unanticipated fiscal impact. A fiscal note is not required.

The motion authorizing the issuance of a street event permit was approved.

20. Approve issuance of a Street Event Permit for the Texas State Arts Festival, a fee paid event in the 1800 block of Brazos Street, scheduled for March 3-4, 2007. There is no unanticipated fiscal impact. A fiscal note is not required.

The motion authorizing the issuance of a street event permit was approved.

Item 21 was pulled for discussion.

22. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments were made:

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Community Development Commission</u> Karen Paup	Mayor Wynn's	Reappointment
<u>Design Commission</u> Calvin Powei Chen	Council Member Kim's	Appointment
<u>Housing Authority of the City of Austin</u> Kelly Roth	Mayor Wynn's	Reappointment
<u>Mayor's Committee for People with Disabilities</u> Chip Howe	Mayor Wynn's	Reappointment
Kathy Kasprisin	Mayor Wynn's	Reappointment
Jesus Lardizabal	Mayor Wynn's	Appointment
Ron Lucey	Mayor Wynn's	Reappointment
Denise Sonleitner	Mayor Wynn's	Reappointment
Tanya Winters	Mayor Wynn's	Appointment
<u>Music Commission</u> Randy Houston	Mayor Wynn's	Reappointment
<u>Residential Design and Compatibility Commission</u> Cristina Valdes	Council Member Martinez'	Appointment

Appointments to an Intergovernmental Body

Resolution No. 20070215-022 reappointing Council Member Jennifer Kim and Sid Covington to the Austin-San Antonio Inter-Municipal Commuter Rail District for two year terms was approved.

Item 23 was pulled for discussion.

24. Approve a resolution directing the City Manager to negotiate and execute an amended Interlocal Agreement with the University of Texas's Clean Energy Incubator to establish procedures for Austin Energy to evaluate and test new clean energy products and technologies. (Council Member Brewster McCracken Mayor Will Wynn Council Member Lee Leffingwell)
Resolution No. 20070215-024 was approved.
25. Approve a resolution requesting the State Legislature to appropriate \$200 million annually to the Texas Rail Relocation and Improvement Fund during the 80th Legislative Session and subsequent sessions of the Texas Legislature. (Council Member Jennifer Kim Council Member Brewster McCracken and Mayor Pro Tem Betty Dunkerley)
Resolution No. 20070215-025 was approved.
26. Approve a resolution supporting passage of legislation maximizing the use of revenue from State generated sporting goods sales tax to fund parks and recreation programs. (Mayor Will Wynn Council Member Lee Leffingwell Council Member Mike Martinez)
Resolution No. 20070215-026 was approved.

Item 27 was pulled for discussion.

28. Approve a resolution amending Resolution No. 20061214-041 regarding the Bond Oversight Committee to add the task of reviewing the annual appropriation and spending plan of bond funds. (Council Member Mike Martinez Council Member Sheryl Cole)
Resolution No. 20070215-028 was approved.
29. Approve an ordinance amending the Fiscal Year 2006-2007 General Fund, Budget Stabilization Fund and Support Services Fund of Ordinance No. 2006-0911-001 to increase Budget Stabilization Fund transfers to the General Fund and increasing the General Fund (One-Time Critical) transfer to the Support Services Fund by an amount of \$115,243; and increasing the Support Services Transfer in from the General Fund (One-Time Critical) and increasing budgeted appropriations to the Office of the City Auditor Operating Budget by the same amount for professional consulting services. Recommended by the Audit and Finance Subcommittee. (Related to item #18) (Mayor Pro Tem Betty Dunkerley Council Member Mike Martinez Council Member Lee Leffingwell)
Ordinance No. 20070215-029 was approved.
30. Authorize payment of APD costs in an amount not to exceed \$190 for the North Shoal Creek Neighborhood Association's Fourth of July Parade to be held on July 4, 2007. (Council Member Brewster McCracken Council Member Jennifer Kim)
The motion authorizing the payment of APD costs was approved.
31. Approve waiver of the signature requirement under Chapter 14-8 of the Code for the AT & T Austin Marathon to be held on Sunday, February 18, 2007. (Council Member Lee Leffingwell Mayor Will Wynn)
The motion authorizing the waiver of the signature requirement was approved.
32. Approve waiver of fees and requirements under Chapter 14 of the Code for the Austin Jewish Academy's Bagelfest 5K, to be held on Sunday, March 5, 2007. (Council Member Brewster McCracken Council Member Jennifer Kim Mayor Pro Tem Betty Dunkerley)
The motion authorizing the waiver of fees and requirements was approved.

Items 33 through 36 were Executive Session items.

Item 37 was an action on Executive Session item.

Item 38 was a briefing item set for 3:00 p.m.

Items 39 through 70 were zoning items set for 4:00 p.m.

Items 74 and 75 were zoning ordinances/neighborhood plans amendments (public hearings) set for 6:15 p.m.

BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.

This item was withdrawn.

DISCUSSION ITEMS

15. Approve a resolution authorizing the City Manager to negotiate and execute an amendment to the Municipal Maintenance Agreement between the City and the Texas Department of Transportation (TxDOT) for transfer of control, jurisdiction, and maintenance responsibility to the City for Airport Boulevard from 45th Street to Martin Luther King, Jr. Boulevard with the exclusion of the IH-35 right-of-way to support the Robert Mueller Municipal Airport Project.
Resolution No. 20070215-015 was approved on Council Member Martinez' motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.
21. Approve negotiation and execution of a 12-month supply agreement with The United States Department of the Interior, Geological Survey (USGS), Austin, Texas, for the provision of installing, rating, and maintaining 10 new stream flow monitoring stations in the Austin area, in an annual amount of \$304,250, with one 12-month extension option in the amount not to exceed \$139,000 per extension, for a total contract amount not to exceed \$443,250.00. Funding in the amount of \$443,250 is available in the Fiscal Year 2006-2007 Capital Budget for the Watershed Protection and Development Review Department.
The motion authorizing the negotiation and execution of a supply agreement was approved on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 7-0 vote with direction to the Public Work Department's staff to report back to Council on the bridge maintenance program.
27. Approve a resolution authorizing execution of a revised Joint Powers Agreement (JPA) with the Capital Area Metropolitan Planning Organization (CAMPO) to reduce membership from 23 to 18 members, and other related revisions. (Mayor Will Wynn Mayor Pro Tem Betty Dunkerley Council Member Brewster McCracken)
Resolution No. 20070215-027 was approved on Council Member Leffingwell's motion, Mayor Pro Tem Dunkerley's second on a 6-0 vote. Council Member Kim was off the dais.
3. Approve an ordinance creating the Business Retention and Enhancement Program for Congress Avenue and East 6th Street as an economic development program of the City, and approving program guidelines. The eligible program area is bounded by 11th Street on the north, Town Lake on the south, and the alleys directly east and west of Congress Avenue, and the area of East 6th Street bounded by Congress Avenue on the west, the southbound frontage road of I-35 on the east, and the alleys directly north and south of East 6th Street.
Ordinance No. 20070215-003 was approved with the following friendly amendment on Council Member Martinez' motion, Council Member McCracken's second on a 7-0 vote. The friendly amendment from Mayor Pro Tem Dunkerley was to expand the boundaries of the area from which fees will be dedicated to the program to Brazos, Colorado, 5th and 7th Streets, and extend the pilot

program to 24 months with a provision that if another extension is needed, staff should bring it back to Council for consideration.

Citizen Communications: General

Don A. Williamson - K.A.B. II He was not present when his name was called.

Gary Johnson - Public Access Television

CarolAnneRose Kennedy - STATE OF THE UNION: ADD.DRESS... I ROCK and YOU RAN...!HELL NO! PLEAS DON'T GO! She was not present when her name was called.

Robert G. MacDonald - A "Real Living Wage" and why The City of Austin should support this in Truth & Deed

Donald Wilhite - Drugs & Christianity - Judgement of people by what is seen instead of what they are; What is Love?

Paul Robbins - City Issues. He was not present when his name was called.

Henry Floyd - Annexation of Del Valle. He was not present when his name was called.

Pat Johnson - Municipal Court

Kelly McDonald - Push Up Foundations, Inc., 1701 E. Cesar Chavez (Neighborhood Concerns)

Johnette Mason - Stagnant Water in the 24 Area. She was not present when her name was called.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:22 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.

Item 33 was discussed later in Executive Session.

34. Discuss legal issues concerning development at Northcross Mall. (Private Consultation with Attorney - Section 551.071)
35. Discuss legal issues on the Minority-Owned and Women-Owned Business Enterprise Procurement Program 2007 Availability and Disparity Study and Annual Goals. (Private Consultation with Attorney - Section 551.071)
36. Discuss legal issues concerning Sherri Forbes v. City of Austin; Cause No. D-1-GN-06-004264; in the 126th Judicial District Court, Travis County, Texas. (personal injury lawsuit) (Private Consultation with Attorney - Section 551.071) (Related to item #37)

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 2:29 p.m.

Action on Executive Session

37. Approve a settlement in Sherri Forbes v. City of Austin; Cause No. D-1-GN-06-004264; in the 126th Judicial District Court, Travis County, Texas. (Related to item #36)
The motion authorizing a settlement in the amount of \$170,000 was approved on Council Member Martinez' motion, Council Member McCracken's second on a 7-0 vote.

BRIEFINGS

38. Presentation on the Families with Children Report.
The presentation was made by Assistant City Manager Bert Lumbreras and Ryan Robinson, City Demographer.

DISCUSSION ITEMS CONTINUED

23. Approve a resolution adopting a Climate Protection Plan for the reduction of greenhouse gas emissions and directing the City Manager to develop the policies and procedures necessary to implement the Plan. (Mayor Will Wynn Council Member Lee Leffingwell Council Member Brewster McCracken)
Resolution No. 20070215-023 was approved on Council Member Leffingwell's motion, Council Member McCracken's second on a 7-0 vote.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Dunkerley's motion, Council Member Cole's second on a 6-0 vote. Council Member Kim was off the dais.

39. C14-05-0112 - Riverside Neighborhood Plan - Tract 9 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1708, 1712 and 1720 South Lakeshore Drive (Town Lake Watershed) from multi-family residence-medium density (MF-3) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning with conditions. First Reading approved on November 16, 2006. Vote: 7-0. Second reading approved on December 14, 2006. Vote: 7-0. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
Ordinance No. 20070215-039 for community commercial-conditional overlay (GR-CO) combining district zoning with conditions was approved.
40. C14-06-0078 - South IH-35 Transit Facility - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7902-7926 South IH-35 Service Road Southbound (South Boggy Creek Watershed) from community commercial (GR) district zoning to limited industrial service-planned development area (LI-PDA) combining district zoning. First reading approved on November 16, 2006. Vote: 7-0. Applicant: Rock Realty, Inc. (John McCormack); Capital Metropolitan Transit Authority (Fred Gilliam). Agent: Doucet & Associates (Carol M. Stewart). City Staff: Wendy Walsh, 974-7719.
This item was postponed to July 26, 2007 at the applicant's request.
41. C14-06-0098 - Harris Ridge - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13809 Harris Ridge Boulevard (Harris Branch Watershed) from limited industrial-conditional overlay (LI-CO) combining district zoning to

townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 1 and limited industrial-conditional overlay (LI-CO) combining district zoning for Tract 2. First reading approved on December 7, 2006. Vote: 7-0. Applicant: Capital City-Howard Lane, Ltd. (Christopher H. Whitworth). Agent: Momark Development (Chris Risher). City Staff: Tina Bui, 974-2755.

This item was postponed indefinitely at staff's request.

ZONING DISCUSSION ITEMS

42. C2A-84-002 - Schlumberger PDA Amendment #5 - Approve third reading of an ordinance amending Chapter 25-2 of the City Code by rezoning property locally known as 8311 RR 620 North (Bull Creek Watershed from research and development-planned development area R&D - PDA) combining district zoning to research and development-planned development area (R&D - PDA) combining district zoning to change a condition of zoning with conditions. First reading approved on January 11, 2007. Vote: 7-0. Second Reading approved on January 25, 2007. Vote: 6-0 (Mayor Wynn absent). Applicant: USL Austin Reserve, L.P. Agents: Armbrust & Brown, L.L.P. (Richard Suttle) and Consort (Ben Turner). City Staff: Tina Bui, 974-2755.

The motion made by Council Member McCracken to approve on third reading to add MF-2 to the PDA failed due to the lack of a second.

Ordinance No. 20070215-042 to change a condition of zoning with conditions was approved on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote.

43. C814-06-0106 - 208 Barton Springs Road - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 208 Barton Springs Road (Town Lake Watershed) from commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning and lake commercial-neighborhood plan (L-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning. First and second reading approved on January 25, 2007. Vote: 6-0 (Wynn-absent). Applicant: 208 Barton Springs (Glenn Jones). Agent: Graves, Dougherty, Hearon & Moody, P.C. (Michael Whellan). City Staff: Jorge E. Rousselin, 974-2975.

Ordinance No. 20070215-043 for planned unit development-neighborhood plan (PUD-NP) combining district zoning was approved on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 7-0 vote.

44. C14H-05-0017 - Baugh-Colby House - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1102 Enfield Road (Shoal Creek Watershed) from multi-family residence-medium density-neighborhood plan (MF-3-NP) district zoning to multi-family residence-medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning. First and second readings approved on December 14, 2006. Vote: 6-1 (Leffingwell-Nay). Applicant: Historic Landmark Commission. Agent: Neighborhood Planning and Zoning Department. City Staff: Steve Sadowsky, 974-6454.

This item was postponed to March 1, 2007 on Council Member Martinez' motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

45. C14-06-0085.SH - Zachary Scott Subdivision Tract 1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10016-10136 Old Lockhart Highway East of Bradshaw Road (Rinard Creek Watershed) from interim-rural residence (I-RR) district zoning to single-family residence-small lot (SF-4A) district zoning. Staff Recommendation: To grant single-family residence-small lot (SF-4A) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant single-family residence-small lot (SF-4A) district zoning with conditions. Applicant: Lennar Buffington Zachary Scott, L.P. (Bryan Sims). Agent: Cuatro Consultants, Ltd. (Hugo Elizondo, Jr.). City Staff: Wendy Walsh, 974-7719.
This item was postponed to March 1, 2007 at the applicant's request.
46. C14-06-0084.SH - Zachary Scott Subdivision Tract 2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10142-10620 Bradshaw Road (Onion Creek and Rinard Creek Watersheds) from interim-rural residence (I-RR) district zoning to single-family residence-small lot (SF-4A) district zoning. Staff Recommendation: To grant single-family residence-small lot (SF-4A) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-small lot (SF-4A) district zoning. Applicant: Lennar Buffington Zachary Scott, L.P. (Bryan Sims). Agent: Cuatro Consultants, Ltd. (Hugo Elizondo, Jr.). City Staff: Wendy Walsh, 974-7719.
This item was postponed to March 1, 2007 at the applicant's request.
47. C14-06-0144 - Rancho Alto 1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the southeast corner of Frate Barker Road and Rancho Alto Road (Bear Creek and Slaughter Creek Watersheds) from interim-rural residence (I-RR) district zoning and interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning for Tract 1 and community commercial (GR) district zoning for Tract 2. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning for Tract 1 and neighborhood commercial (LR) district zoning for Tract 2 with conditions. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning for Tract 1 and neighborhood commercial (LR) district zoning for Tract 2 with conditions. Applicant: Rancho Alto Ventures, Ltd. (Doyle Wilson). Agent: Carlson, Brigrance & Doering, Inc. (Steven P. Cates). City Staff: Wendy Walsh, 974-7719.
The first reading of the ordinance for single-family residence-standard lot (SF-2) district zoning for Tract 1 and neighborhood commercial (LR) district zoning for Tract 2 with conditions was approved.
48. C14-06-0145 - Rancho Alto 2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 12200-12222 Rancho Alto Road (Bear Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Applicant: Rancho Alto Ventures, Ltd. (Doyle Wilson). Agent: Carlson, Brigrance & Doering, Inc. (Steven P. Cates). City Staff: Wendy Walsh, 974-7719.
The first reading of the ordinance for single-family residence-standard lot (SF-2) district zoning with conditions was approved.
49. C14-06-0146 - Rancho Alto 3 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1900-1920 Ralph Cox Road; 11800-11916 Dave Silk Drive (Bear Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Zoning and Platting

Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Applicant: Rancho Alto Ventures, Ltd. (Doyle Wilson). Agent: Carlson, Brigance & Doering, Inc. (Steven P. Cates). City Staff: Wendy Walsh, 974-7719.

The first reading of the ordinance for single-family residence-standard lot (SF-2) district zoning with conditions was approved.

50. C14-06-0147 - Rancho Alto 4 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1700-1724 O'Callahan Drive (Bear Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Applicant: Rancho Alto Ventures, Ltd. (Doyle Wilson). Agent: Carlson, Brigance & Doering, Inc. (Steven P. Cates). City Staff: Wendy Walsh, 974-7719.

The first reading of the ordinance for single-family residence-standard lot (SF-2) district zoning with conditions was approved.

51. C14-06-0148 - Rancho Alto 5 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1800-1820 Ralph Cox Road; 11801-12229 and 12200-12224 Buzz Schneider Lane; 1609-1641 Pavelich Pass; and 12116-12124 Verchota Drive (Bear Creek Watershed; Slaughter Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Applicant: Rancho Alto Ventures, Ltd. (Doyle Wilson). Agent: Carlson, Brigance & Doering, Inc. (Steven P. Cates). City Staff: Wendy Walsh, 974-7719.

The first reading of the ordinance for single-family residence-standard lot (SF-2) district zoning with conditions was approved.

52. C14-06-0149 - Rancho Alto 6 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1701 McClannahan Drive; 1700 Stoebel Lane (Bear Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Applicant: Rancho Alto Ventures, Ltd. (Doyle Wilson). Agent: Carlson, Brigance & Doering, Inc. (Steven P. Cates). City Staff: Wendy Walsh, 974-7719.

The first reading of the ordinance for single-family residence-standard lot (SF-2) district zoning with conditions was approved.

53. C14-06-0150 - Rancho Alto 7 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 12113 Verchota Drive; 1600-1628 Pavelich Pass; and 1701 Stoebel Lane (Bear Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Applicant: Rancho Alto Ventures, Ltd. (Doyle Wilson). Agent: Carlson, Brigance & Doering, Inc. (Steven P. Cates). City Staff: Wendy Walsh, 974-7719.

The first reading of the ordinance for single-family residence-standard lot (SF-2) district zoning with conditions was approved.

54. C14-06-0151 - Rancho Alto 8 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1813-1913 Ralph Cox Road; and 1800-1824 Bill Baker Drive (Bear Creek and Slaughter Creek Watersheds) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Applicant: Rancho Alto Ventures, Ltd. (Doyle Wilson). Agent: Carlson, Brigrance & Doering, Inc. (Steven P. Cates). City Staff: Wendy Walsh, 974-7719.
The first reading of the ordinance for single-family residence-standard lot (SF-2) district zoning with conditions was approved.
55. C14-06-0152 - Rancho Alto 9 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1801-1825 Bill Baker Drive; and 1700-1724 O'Callahan Drive (Bear Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning with conditions. Applicant: Rancho Alto Ventures, Ltd. (Doyle Wilson). Agent: Carlson, Brigrance & Doering, Inc. (Steven P. Cates). City Staff: Wendy Walsh, 974-7719.
The first reading of the ordinance for single-family residence-standard lot (SF-2) district zoning with conditions was approved.
56. C14-06-0191 - Fox Hill - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11421-11717 South IH-35 Service Road Northbound (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to rural residence-conditional overlay (RR-CO) combining district zoning for Tract 1 and multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning for Tract 2. Staff Recommendation: To grant rural residence (RR) district zoning for Tract 1 and multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning for Tract 2 with conditions. Zoning and Platting Commission Recommendation: To grant rural residence (RR) district zoning for Tract 1 and multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning for Tract 2 with conditions. Applicant: Onion Associates, Ltd. (Bruce T. Morrison). Agent: Vaughn & Associates, Ltd. (Rick Vaughn). City Staff: Wendy Walsh, 974-7719.
This item was postponed to March 8, 2007 at the neighborhood's request.
57. C14-06-0225 - San Felipe Market - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7701 San Felipe Boulevard (Rattan Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning with conditions. Applicant: San Felipe Market, Ltd. (John Greenwood). Agent: Jim Bennett Consulting Jim Bennett). City Staff: Tina Bui, 974-2755.
Ordinance No. 20070215-057 for commercial-liquor sales (CS-1) district zoning with conditions was approved.
58. C14-06-0232 - 11200 F.M. 2222 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11200 F.M. 2222 (Bull Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation: To grant

community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Henry B. Mayes, Jr. Trustee. Agent: Graves, Dougherty, Hearon & Moody, P.C. (Peter Cesaro). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 20070215-058 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.

59. C14H-06-0039 - A.E. and Wesie Spires House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1500 Hardouin Avenue (Shoal Creek Watershed) from family residence (SF-3) district zoning to family residence-historic (SF-3-H) combining district zoning. Staff Recommendation: To grant family residence-historic (SF-3-H) combining district zoning. Historic Landmark Commission recommendation: To grant family residence-historic (SF-3-H) combining district zoning. Zoning and Platting Commission recommendation: To grant family residence-historic (SF-3-H) combining district zoning. Applicants: Lawrence and Dale Van Sickel. City Staff: Steve Sadowsky, 974-6454.
Ordinance No. 20070215-059 for family residence-historic (SF-3-H) combining district zoning was approved.
60. C14-04-0196.01 - Horn Building - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Guadalupe Street and Avenue A (Waller Creek Watershed) from neighborhood conservation combining district (NCCD) district zoning to neighborhood conservation combining district (NCCD) district zoning to change a condition of zoning. Staff Recommendation: To grant neighborhood conservation combining district (NCCD) district zoning to change a condition of zoning. Planning Commission Recommendation: To grant neighborhood conservation combining district (NCCD) district zoning. Applicant and Agent: Horn Building Partnership (Richard Horn). City Staff: Glenn Rhoades, 974-2775.
The first reading of the ordinance for neighborhood conservation combining district (NCCD) district zoning to change a condition of zoning and adding hospital services limited to a maximum of 10,000 square footage for property located at 4611 Guadalupe was approved.
62. C14-06-0220 - Thornton Bungalows - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2206-2210 Thornton Road (West Bouldin Creek Watershed) from urban family residence-conditional overlay (SF-5-CO) combining district zoning to single-family residence-condominium-conditional overlay (SF-4B-CO) combining district zoning. Staff Recommendation: To grant single-family residence-condominium-conditional overlay (SF-4B-CO) combining district zoning. Planning Commission Recommendation: To grant single-family residence-condominium-conditional overlay (SF-4B-CO) combining district zoning. Applicant: Thornton Cottages Austin, L.P. (James Austin). Agent: Stansberry Engineering (Blayne Stansberry). City Staff: Robert Heil, 974-2330.
This item was postponed to March 1, 2007 at staff's request due to the request from the Planning Commission to bring the Thornton Bungalows item back for reconsideration.
70. C14-06-0121 - The Domain - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10700-11000 Burnet Road, 11100-11900 Burnet Road; 2800 Block of Braker Lane and 3300 West Braker Lane (Walnut Creek Watershed) from major industrial-planned development area (MI-PDA) combining district zoning to major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning. Staff Recommendation: To grant major industrial-planned development area (MI-PDA) combining district zoning to change a condition of zoning with conditions. Planning Commission Recommendation: To be reviewed on February 13, 2007. Applicant: RREEF Domain, L.P. (Chad Marsh). Agent: Drenner+Golden, Stuart, Wolff, L.L.P. (Michele Haussmann). City Staff: Jorge E. Rousselin, 974-2975.

This item was postponed to March 1, 2007 at the neighborhood's request.

ZONING DISCUSSION ITEM

65. NPA-06-0015.01 - Springdale Road -East MLK Combined Neighborhood Plan - Conduct a public hearing and approve an ordinance amending Ordinance No. 021107-Z-11, the East MLK Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, by amending the future land use map from open space to mixed use for the property located at O (21.2 Ac. of Abs 22 Sur 29 Tannehill JC) Springdale Road. Staff Recommendation: To grant mixed use designation. Planning Commission Recommendation: To grant mixed use designation. Applicant: Neighborhood Planning and Zoning Department; Seiders Family Trust, Et.Al. Agent: Peter Cesaro. City Staff: Kathleen Welder, 974-2856.

The first reading of the ordinance amending the future land use map from open space to mixed use on Tract 1 and from open space to multi-family on Tract 2 was approved on Council Member Martinez' motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

66. C14-06-0221 - Springdale Road-East MLK Combined Neighborhood Plan - conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as O (21.2 Ac. of Abs 22 Sur 29 Tannehill JC) Springdale Road (Little Walnut Creek Watershed) from public-neighborhood plan (P-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, and townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Applicant: Neighborhood Planning and Zoning Department; Seiders Family Trust, Et. Al). Agent: Peter Cesaro. City Staff: Jerry Rusthoven, 974-3207.

The first reading of the ordinance for community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 1 and multi-family medium density (MF-3-CO-NP) combining district zoning with multi-family as a conditional use for Tract 2 was approved on Council Member Martinez' motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

61. C14-06-0112 - Slaughter 2-458 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1100 Block of West Slaughter Lane (Slaughter Creek Watershed) from neighborhood commercial (LR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To deny community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To deny community commercial (GR) district zoning. Applicant: Herby's Joint Venture (Jimmy Nassour). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719.

The public hearing was closed and the rezoning request was denied on Council Member Martinez' motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

Mayor Wynn recessed the Council Meeting for Live Music and Proclamation and to go into Executive Session at 5:30 p.m.

EXECUTIVE SESSION CONTINUED

33. Discuss legal issues concerning legislation in the 80th Legislative Session. (Private Consultation with Attorney - Section 551.071)

LIVE MUSIC

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PROCLAMATIONS

Proclamation -- Austin Energy Regional Science Festival -- to be presented by Mayor Will Wynn and to be accepted by Ingrid Weigand

Certificate of Appreciation -- Troy Kimmel -- to be presented by Mayor Will Wynn and City Manager Toby Hammett Futrell and to be accepted by the honoree

Proclamation -- 15th Annual Postcard Show and Sale -- to be presented by Mayor Will Wynn and to be accepted by Paul S. Lewis

Certificate of Congratulations -- LatinWorks for Super Bowl commercial -- to be presented by Mayor Will Wynn and to be accepted by Manny Flores

Proclamation -- International Mother Language Day -- to be presented by Mayor Will Wynn and to be accepted by students of the Austin Bangla School

Proclamation -- MS Science and Technology Commercialization/IC2 Institute Anniversary -- to be presented by Council Member Brewster McCracken and to be accepted by Don Cook

Distinguished Service Award -- Julie Miller -- to be presented by Mayor Pro Tem Betty Dunkerley and City Manager Toby Hammett Futrell and to be accepted by the honoree

Distinguished Service Award -- Karen Cox, CASA -- to be presented by Council Member Lee Leffingwell and to be accepted by the honoree

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 7:09 p.m.

ZONING DISCUSSION ITEMS CONTINUED

63. NPA-06-0010.01 - Cristo Rey Catholic Church - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-43, the Holly Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, by amending the future land use map from single family to office use for the property located at 2201-2205 East 2 1/2 Street (Town Lake Watershed). Staff: Recommendation: To grant office use. Planning Commission Recommendation: To grant office use. Applicant: Catholic Diocese of Austin (Gregory M. Aymond). City Staff: Adrienne Domas, 974-6355.
The public hearing was closed and Ordinance No. 20070215-063 for office use was approved on Council Member McCracken's motion, Council Member Martinez' second on a 5-0 vote. Council Members Kim and Leffingwell were off the dais.
64. C14-06-0196 - Cristo Rey Catholic Church - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2201-2205 E. 2 1/2 Street (Town Lake Watershed) from family residence (SF-3) district zoning to general office-

conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Staff Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning. Applicant: Catholic Diocese of Austin (Gregory M. Aymond). City Staff: Robert Heil, 974-2330.

The public hearing was closed and Ordinance No. 20070215-064 for general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning was approved on Council Member McCracken's motion, Council Member Martinez' second on a 5-0 vote. Council Members Kim and Leffingwell were off the dais.

67. NPA-06-0019.01 - East Avenue PUD - Conduct a public hearing and approve an ordinance amending Ordinance No. 040826-56, the Central Austin Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to establish high density-mixed use designation on the future land use map (FLUM) for the property located at 3400 N. I.H. 35 (Concordia University). Staff Recommendation: To approve mixed use designation. Planning Commission Recommendation: To approve high density mixed use designation. Applicant: Concordia University (David Kluth). Agent: Alice Glasco Consulting (Alice Glasco) and Armbrust and Brown, L.L.P. (Richard Suttle). City Staff: Mark Walters, 974-7695. The public hearing was continued to March 1, 2007 and no action was taken.
68. C814-06-0175 - East Avenue PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3400 North IH-35 Service Road (Waller Creek and Boggy Creek Watersheds) from general office-neighborhood plan (GO-NP) combining district zoning; limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning; and general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning. Staff Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions. Planning Commission Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions. Applicant: Concordia University (David Kluth). Agent: Alice Glasco Consulting (Alice Glasco) and Armbrust and Brown, L.L.P. (Richard Suttle). City Staff: Jorge E. Rousselin, 974-2975. The public hearing was continued to March 1, 2007 and no action was taken.
69. C14-06-0183 - CLB/7th and Rio Grande - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 605 and 615 West 7th Street (Shoal Creek Watershed) from community commercial (GR) district zoning to central business district-central urban redevelopment (CBD-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment (CBD-CURE) combining district zoning with conditions. Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Applicant: Michael J. McGinnis. Agent: Drenner & Golden Stuart Wolff, L.L.P. (Michele M. Rogerson). City Staff: Jorge E. Rousselin, 974-2975. The first reading of the ordinance for central business district-central urban redevelopment (CBD-CURE-CO) combining district zoning with conditions was approved with the following conditions and friendly amendment on Council Member McCracken's motion, Council Member Kim's second on a 6-0 vote. Mayor Wynn recused himself. The friendly amendment, made by Council Member Martinez to leave the public hearing open was accepted by the maker of the motion and Council Member Kim. The conditions are: 11:1 FAR, 2,000 vehicle trips per day limit, require 75% residential use for buildings constructed over 60-feet in height, any building over 68 feet in height must have a 15 foot building setback on 7th Street, any building over 68 feet in height must have a 7 foot building setback on Rio Grande, restrictive covenant stating required participation in the Great Streets Program for the portions of the project fronting along Rio Grande and 7th Streets, participate in the Green Builder Program – 2 Star level provided, 2 levels of underground parking,

above ground garage must be screened, provide for work/flex space on the perimeter of the second floor of the garage facing Rio Grande Street, 75% of the ground floor facing 7th and Rio Grande Streets must be pedestrian oriented uses with maximum of 40-feet between pedestrian entrances to the building, access to the parking garage shall restrict residential access to Rio Grande Street, service access will be from the alley, and cocktail lounge and music venues on the ground floor use will be prohibited; and a \$250,000 contribution divided as follows: (a) \$500 per residential unit to Shoal Creek Greenway Improvements (Austin Parks Foundation) and (b) remainder to be made to either the Housing Trust Fund or the Smart Housing Capital Improvement Project Fund or any other entity designated by the City of Austin whose primary purpose is to provide affordable housing. The contribution will be made upon the commencement of construction.

PUBLIC HEARINGS

71. Conduct a public hearing and approve an ordinance amending Chapter 25-2, Subchapter E, Design Standards and Mixed Use, of the City Code regarding Vertical Mixed Use and the Opt-In/Opt-Out process. (Recommended by Planning Commission)
The public hearing was closed and Ordinance 20070215-071 was approved on Council Member McCracken's motion, Council Member Cole's second on a 6-0 vote. Mayor was off the dais.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member McCracken's motion, Council Member Leffingwell's second on a 6-0 vote. Mayor Wynn was off the dais.

72. Conduct a public hearing and approve an ordinance amending Title 25 of the City Code to establish additional requirements for the location of large retail uses ("Big Box retail"). There is no unanticipated fiscal impact. A fiscal note is not required. To be reviewed by the Planning Commission on January 30, 2007.
The public hearing was closed and Ordinance 20070215-072, adopting the Planning Commission recommendation with the following addition from staff, was approved on Council Member Cole's motion, Council Member Kim's second on a 6-0 vote. Mayor Wynn was off the dais. The addition was, "Provision of notice to all utility service addresses located within 500 ft. of the site, as shown in the City utility records as of the date of application filed."

73. Conduct a public hearing and consider action on requests made by Reagan National Advertising, Inc., to waive or modify size, and location requirements, and the requirement that relocated signs be removed after 25 years, established by Section 25-10-152(B)(6) of the City Code, for each of five existing off-premise signs (billboards) proposed for removal and relocation (for off-premise signs located at 1209 East 11th Street, at Navasota; 6403 North Lamar Boulevard, at 720 Lamar Place; 2007 South Lamar Boulevard, near Oltorf; 8711 North Lamar Boulevard, near West Elliott; and 6400 Burleson Road, just east of its intersection with Montopolis Drive to be relocated to 3205 RR 620 North; 3717 RR 620 North; 6900 RR 620 North; 6901 RR 620 North; and 9706 Bilbrook Place, at Slaughter Lane east of Manchaca).
The public hearing was closed and the variances were denied on Council Member Leffingwell's motion, Council Member Kim's second on a 6-0 vote. Mayor Wynn was off the dais. Council Member Kim requested staff consider a notification and petition process for relocation of signs so people who own property close to where the sign is being relocated would be notified and can petition.

ZONING (PUBLIC HEARINGS AND POSSIBLE ACTIONS)

74. NPA-06-0009.01 - University Enterprises - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-41, the Central East Austin Neighborhood Plan, an element of the Austin

Tomorrow Comprehensive Plan, by amending the future land use map from single family to mixed use for the property located at 1901-1903 E. 11th Street. Staff Recommendation: To deny mixed use designation. Planning Commission Recommendation: To deny mixed use designation. Applicant: University Enterprises (Bertha Means). Agent: Carter Design Group (Donna Carter). City Staff: Robert Heil, 974-2330.

This item was withdrawn.

75. C14-06-0159 University Enterprises - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1901-1903 E. 11th Street (Town Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To deny community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Planning Commission Recommendation: To deny community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Applicant: University Enterprises (Bertha Means). Agent: Carter Design Associates (Donna Carter). City Staff: Robert Heil, 974-2330.
- This item was withdrawn.**

Mayor Pro Tem Dunkerley adjourned the meeting at 12:00 Midnight without objection.

The minutes for the Regular Meeting of February 15, 2007 were approved on this the 1st day of March, 2007 on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.