

AGENDA



Thursday, January 29, 2009

The Austin City Council will convene at 10:00 AM on
Thursday, January 29, 2009 at Austin City Hall
301 W. Second Street, Austin, TX



AUSTIN CITY CLERK
POSTING: DATE/TIME
2009 JAN 23 PM 5 02

Mayor Will Wynn
Mayor Pro Tem Brewster McCracken
Council Member Lee Leffingwell, Place 1
Council Member Mike Martinez, Place 2
Council Member Randi Shade, Place 3
Council Member Laura Morrison, Place 4
Council Member Sheryl Cole, Place 6

For meeting information, contact City Clerk, 974-2210

The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.

Reading and Action on Consent Agenda

Action on the Following:

Ordinances / Resolutions / Motions -

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9:55 AM -- Invocation

Rev. Charles Lee, Acts Fellowship Church

10:00 AM -- City Council Convenes

Approval of Minutes

1. Approve the minutes of the Austin City Council January 15, 2009 Regular meeting.

Austin Energy

2. Approve the issuance of a Letter of Intent for a rebate to Pfluger Associates Architects for the installation of a solar photovoltaic system at the project located at 209 E. Riverside Drive, Austin, Texas, 78704, in an amount not to exceed \$100,000. Funding is available in the Fiscal Year 2008-2009 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.

City Clerk

3. Approve an ordinance ordering a general municipal election to be held on May 9, 2009, to elect the Mayor and City Council Members to Place 2, Place 5, and Place 6; ordering a special municipal election to be held on May 9, 2009, to elect a City Council Member to fill the unexpired term of Place 1; providing for the conduct of the election including authorizing the City Clerk to enter into election agreements with other local political subdivisions as may be necessary for the orderly conduct of the election; and declaring an emergency. Amount and Source of Funding: Funding in the amount of \$630,372 is available in the Fiscal Year 2008-2009 Operating Budget of the Office of the City Clerk.

Contract and Land Management

4. Authorize execution of Supplemental Amendment No.7 with TURNER COLLIE & BRADEN, Inc., Austin, Texas for additional engineering design and construction phase services related to the Wildhorse Ranch North Interceptor Extension north of Hwy 290 (Gilleland Creek Interceptor) in the amount of \$486,993 for a total contract amount not to exceed \$3,804,575. Funding in the amount of \$486,993 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. This contract was awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 13.6 % MBE and 17.2 % WBE subcontractor participation to date. Recommended by the Water and Wastewater Commission.
5. Authorize negotiation and execution of Amendment No. 3 to the construction contract service agreement with TEPSCO, L.P., Deer Park, TX, to increase the second 12-month extension option by 180 days to allow for the completion of underground chilled water piping presently under construction. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 9.50% MBE and 9.52% WBE subcontractor participation to date. To be reviewed by the Electric Utility Commission on January 26, 2009.
6. Authorize execution of a construction contract with AUSTIN FILTER SYSTEMS, INC., Austin, TX, for Thomas C. Green Water Treatment Plant Decommissioning and Deconstruction in the amount of \$4,782,000 plus a \$239,000 contingency, for a total contract amount not to exceed \$5,021,000. Funding in the amount of \$5,021,000 is available in the Fiscal Year 2008-2009 Capital Improvement Budget of the Austin Water Utility. Lowest bid of four (4) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 9.28% MBE and 3.99% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
7. Authorize execution of a construction contract with BENITEZ CONSTRUCTION, INC. (MBE 26.43%), Manor, TX for Water Reclamation Initiative Central Zone Projects Phase 1B - East 51st Street Pipeline in the amount of \$953,060.50 plus a \$95,306 contingency, for a total contract amount not to exceed \$1,048,366.50. Funding in the amount of \$1,048,366.50 is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Lowest bid of thirteen (13) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 5.02% African American, 4.30 % Hispanic, and 4.43% WBE subcontractor participation. Recommended by the Water and Wastewater Commission.
8. Authorize execution of change order # 6 to the construction contract with GIBSON & ASSOCIATES, INC., Balch Springs, TX for the 2008 Miscellaneous Bridge Maintenance Contract in the amount of \$84,050, for a total contract amount not to exceed \$562,894.60. Funding in the amount of \$84,050 is available in the Fiscal Year 2008-2009 Operating Budget of Public Works Department. This contract was awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women-Owned Business Enterprise Procurement Program) through achievements of Good Faith Efforts with 0.00% MBE and 0.10% WBE subcontractor participation to date.

Economic Growth & Redevelopment Services

9. Approve an ordinance amending the Fiscal Year 2008-2009 Economic Growth and Redevelopment Services Office Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to adopt a budget for the Austin Downtown Public Improvement District (PID), with a beginning balance of \$810,954, Revenue of \$2,662,479, and Requirements of \$2,562,479. Funding in the amount of \$2,308,066 is available through 2009 assessments (at an approximate 96.7% collection rate); \$73,230 in collections from 2008, \$131,183 interest accrued in the PID Account and late payments; and a \$150,000 annual contribution from the City of Austin (\$75,000 Austin Convention Center Fund, and \$75,000 in the Water and Wastewater Utility Fund).
10. Approve an ordinance amending the Fiscal Year 2008-2009 Economic Growth and Redevelopment Services Office Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to adopt a budget for the East Sixth Street Public Improvement District (PID), with a beginning balance of \$65,283, Revenue of \$87,687, and Requirements of \$83,687. Funding of \$3,275 in interest and late payments accrued in the PID account, and funding in the amount of \$41,616 is available through 2009 assessments (at an approximate 91.1% collection rate), a \$43,500 contribution from the City of Austin, reduced by \$704 shortfall in 2008 collections.

Fire

11. Authorize negotiation and execution of an amended and restated Interlocal Agreement for Automatic Aid Assistance between the City of Austin and Travis County Emergency Service District Number 9 (TCESD# 9) to revise certain terms of the agreement in response to the decision of the arbitrator in the Peninsula Annexation Service Plan arbitration. Funding for the initial one-year term (calendar year 2009) and renewal terms is contingent upon available funding in future budgets. Related to Items #13 and 14.

Neighborhood Housing and Community Development

12. Approve a resolution authorizing the City Manager to apply to the Texas Department of Housing and Community Affairs for Housing and Economic Recovery Act Neighborhood Stabilization Program funds to help mitigate the impact of the foreclosure crisis in Austin neighborhoods. Funding is provided through the Texas Department of Housing and Community Affairs.

Neighborhood Planning & Zoning

13. Approve an ordinance to annex the Peninsula Municipal Annexation Plan Area for full purposes. (The area is approximately 432 acres in Travis County located west of Westlake Drive approximately 210 feet south of the intersection of Westlake Drive and Trailview Mesa Drive). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services. Related to Items #11 and 14.
14. Approve a resolution ordering City ad valorem taxes to be collected on properties located within the Lake Austin Shoreline Area adjacent to the Peninsula Annexation area (approximately 59 acres in Travis County located below the 504.9 foot mean sea level contour line). Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services. Related to Items #11 and 13.
15. Approve an ordinance amending Ordinance 20080320-048 to correct the tract map to identify boundaries of the tracts for the VMU properties in the East MLK neighborhood planning area, so that the boundaries correspond to the tract table described in zoning Case C14-2007-0258.

16. Approve a resolution adopting amendments to the Downtown Design Guidelines. Recommended by Design Commission.

Parks and Recreation

17. Approve an ordinance accepting \$15,000 in grant funds from the Austin Community Foundation; and amending the Fiscal Year 2008-2009 Parks and Recreation Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$15,000 for the Totally Cool Totally Art After School Program operated by the Cultural Affairs Division of the Parks and Recreation Department. Funding in the amount of \$15,000 is available from the Austin Community Foundation. The grant period is January 1, 2009 through December 31, 2009. No City match is required.
18. Approve a resolution adopting the Lady Bird Lake Trail Enhancement Plan.

Police

19. Approve an ordinance establishing classifications and positions in the classified service of the Austin Police Department, eliminating the existing classifications of Police Corporal and Police Detective by combining those two classifications and creating a single new classification entitled "Police Corporal/Police Detective," and repealing Ordinance No. 20081218-040."

Purchasing Office

20. Authorize award, negotiation, and execution of a contract with GEMINI SOLAR DEVELOPMENT COMPANY, LLC, San Francisco, CA, to purchase up to 30 megawatts of solar-generated power over a 25-year term at an estimated annual amount of \$10,000,000, for an estimated total contract amount of \$250,000,000. Funding will be provided through the Electric Fuel Charge revenue or future Green Choice revenue. Best evaluated proposal of 15 proposals received. This contract will be awarded in compliance with Chapter 2-9D 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.
21. Authorize award and execution of Amendment No. 1 to the contract amount with PRINTMAILPRO.COM, Austin, TX for printing and mail processing services of delinquent notices for Municipal Court to increase the contract authorization in an amount not to exceed \$75,000, for a revised contract amount not to exceed \$125,000. Funding in the amount of \$75,000 is included in the Fiscal Year 2008-2009 Operating Budget of the Municipal Court. 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.

Transportation

22. Approve an ordinance amending Section 12-4-64(D) of the City Code to establish a maximum speed limit of 25 miles per hour on certain streets within the area bounded by Allandale Road, Burnet Road, Shoal Creek Boulevard, Hancock Drive, and West North Loop Boulevard; and correcting entries in Section 12-4-64(D). Funding in the amount of \$1,200 is available in the Fiscal Year 2008-2009 Operating Budget of the Public Works Department for installation of necessary signs.

Item(s) from Council

23. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
24. Approve an ordinance amending Chapter 2-1 of the City Code to repeal and replace Section 2-1-123 relating to the Child Care Council. (Council Member Randi Shade, Council Member Laura Morrison and Council Member Sheryl Cole)
25. Approve a resolution directing the City Manager to amend the Guidelines for Non-City Use for City Hall to make City Council Chambers and the Boards & Commissions Room available as free speech venues on Tuesdays. (Council Member Randi Shade, Council Member Lee Leffingwell and Council Member Sheryl Cole)
26. Approve waiver of certain fees and requirements under City Code Chapter 14-8 for the Austin Jewish Academy's Bagelfest 5K, to be held on Sunday, March 8, 2009. (Mayor Pro Tem Brewster McCracken, Council Member Randi Shade and Mayor Will Wynn)
27. Approve waiver of certain fees and requirements under City Code Chapter 14-8 for the Boy Scouts of America Capital Area Council's Report to State Parade to be held on Saturday, February 7, 2009. (Council Member Mike Martinez, Council Member Lee Leffingwell and Council Member Laura Morrison)
28. Approve waiver of certain fees and requirements under City Code Chapter 14-8 and authorize payment of certain costs associated with Celebrate Texas Incorporated's Texas Independence Day 5K Run and Parade, a City co-sponsored event, to be held on March 7, 2009. (Council Member Mike Martinez and Mayor Will Wynn)
29. Approve waiver of certain fees and requirements under City Code Chapter 14-8 and authorize payment of certain costs associated with SXSW, Inc.'s annual South by Southwest Festival, a City co-sponsored event, to be held March 13-22, 2009. (Council Member Mike Martinez, Council Member Sheryl Cole and Mayor Will Wynn)

Item(s) to Set Public Hearing(s)

30. Set a public hearing to consider amending Chapter 25-2 of the City Code (Transit Oriented Development) related to compatibility standards and affordability requirements, and to eliminate a height prohibition in the Plaza Saltillo TOD; amending Chapter 25-4 (Project Circulation Plans); and other conforming amendments necessary to reflect adoption of transit oriented development (TOD) base district zoning and station area plans. (Suggested date and time: February 12, 2009 at 6:00 p.m., City Hall Council Chambers, 301 West Second Street.)
31. Set a public hearing to consider an appeal by Andy Martin, representing AJHSCCM LP, of the Zoning and Platting Commission's decision allowing construction of buildings on a slope with a gradient of greater than 25% on property located at 9716 FM 2222, Austin, TX. (Suggested date and time: February 12, 2009, 6:00 p.m., at Austin City Hall, 301 West Second Street) Approval of this environmental variance was recommended by the Environmental Board on August 18, 2008 and recommended by the Zoning and Platting Commission on November 18, 2008.

12:00 PM -- Citizen Communications: General

Paul Robbins – City Issues

Gus Pena – 1.To Discuss City issues, 2.The recession is affecting many people especially the poor, the needy, the have nots and the less fortunate. Social service agencies will need an increase of funding to be able to meet the needs of all. 3. Our military veterans need affordable housing, mental health treatment, JOBS, Job training, and re entry programs.

Brian Leonard – Citizen Communication

Rae Nadler-Olenick - Water Fluoridation

John R. Walsh - Issues facing Austin Cab Drivers servicing the downtown entertainment districts

Nailah Sankofa – Funding for black artists and arts organization

Alan Ruddy – Lake Austin Protection

John Hynes – The bright Future Initiative

Richard Troxell – Homelessness in Austin

Phillip A. Dick – Unfair justice and abuse of power

Executive Session

32. Discuss legal issues related to property located at 328 Heartwood, concerning: appeal of site plan disapproval; pending code enforcement action; permitting issues; and a floodplain variance request.(Private Consultation with Attorney - Section 551.071). Related to Items # 53 and 54.
33. Discuss matters relating to Austin Energy's generation resource plans. (Public Power Utility Competitive Matter - Section 551.086).
34. Deliberate the purchase, exchange, lease or value of real property locally known as the Lions Municipal Golf Course, generally located at the intersection of Lake Austin Boulevard and Enfield Road. (Real Property - Section 551.072). Related to Item #35.
35. Discuss legal issues regarding the purchase, exchange, lease or value of real property locally known as the Lions Municipal Golf Course, generally located at the intersection of Lake Austin Boulevard and Enfield Road. (Private Consultation with Attorney - Section 551.071). Related to Item #34.

2:00 PM -- Briefings

36. Briefing on the Business Retention and Enhancement pilot program
37. Annual Update on the City of Austin and Lower Colorado River Authority Water Partnership

4:00 PM -- Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

38. C14-2008-0094 - 8th Street Triangle - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 700 E. 8th (Waller Creek Watershed) from public (P) district zoning to central business district-central urban redevelopment (CBD-CURE) combining district zoning. First reading approved on December 11, 2008. Vote: 7-0. Applicant: City of Austin, Contract and Land Management. Agent: Lauraine Rizer. City Staff: Robert Heil, 974-2330.
39. C14-2008-0148 - 1410 West Ben White - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1410 West Ben White Blvd. (West Bouldin Creek Watershed) from community commercial (GR) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. First reading approved on November 6, 2008. Vote: 7-0. Applicant: Cothron Partnership No. 2 LTD. (Olen Cothron). Agent: The Austin Company (Peter Von Wupperfeld). City Staff: Stephen Rye, 974-7605.
40. NP-2008-0025(Part) - Oak Hill Combined Neighborhood Plan - Approve second/third readings of ordinance amending the Austin Tomorrow Comprehensive Plan by adopting land use designation for Tract AG of the Oak Hill Combined Neighborhood Plan. Tract AG is located within a planning area generally bounded by Southwest Parkway to the north, Barton Creek Greenbelt to the east, FM 1826, Davis Lane, Clairmont Drive, Abilene Trail, Convict Hill Rd, and Loop 1 to the south, and Thomas Springs Road, Circle Drive and West View Road to the west on the Future Land Use map. The watersheds are Williamson Creek, Slaughter Creek, and Barton Creek - Barton Springs Zone Watershed. First reading was approved on October 23, 2008. Vote 7-0. City Staff: Maureen Meredith, 974-2695; Minal Bhakta, Department; 974-6453 and Gregory Montes, 974-2629.
41. C14-2008-0115 - William Cannon - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4808 West William Cannon Drive (Williamson Creek Watershed - Barton Springs Zone) from single-family residence-standard lot (SF-2) district zoning to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning with conditions. At First reading on October 23, 2008, City Council approved LO-MU-CO-NP combining district zoning with conditions. Vote: 5-1 (Morrison voted nay; Martinez off the dais.) Applicant: Marcus Whitfield & Eskew Place, Ltd. (Gail and Marcus Whitfield). Agent: McClean & Howard, L.L.P. (Jeffrey Howard). City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to this rezoning request.

4:00 PM -- Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

- 42 PH. C14-2008-0222 - William Cannon Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the North side of West William Cannon Drive, between Beckett Road and Ridge Oak Road (Williamson Creek Watershed - Barton Springs Zone) from rural residence-neighborhood plan (RR-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Staff Recommendation: To deny neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on March 10, 2009. Applicant: John Rocha, Jewell Simmons, Lloyd Burt, Judy Grimes, Valerie Brinkman, Charles Spradling and Fast Enterprises (Frank Smith). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 974-7719.

- 43 PH. C14-2008-0236 - Roadway Express - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9018 Tuscan Way (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to limited industrial service-conditional overlay (LI-CO) combining district zoning with conditions. Staff Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning. Applicant: Roadway Express, Inc. (Matt Spronz). Agent: The Faust Group (Bill Faust). City Staff: Joi Harden, 974-2122.
- 44 PH. C14-2008-0240 - 4701 N. IH-35 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4701 North IH-35 SVRD NB (also known as 4705 North IH-35 SVRD NBD) (Boggy Creek Watershed) from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to change a condition of zoning. Applicant and Agent: Mike Dallas Properties (Mike Dallas). City Staff: Joi Harden, 974-2122.
- 45 PH. C14-2007-0262 - Central Austin Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Central Austin Combined Neighborhood Planning Area, bounded by 38th Street on the north, IH-35 on the east, Martin Luther King, Jr. Boulevard on the south, excluding the University of Texas at Austin campus, and Lamar Boulevard and 45th Street on the west (Shoal Creek, Waller Creek watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Central Austin Combined Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district and to exclude certain tracts from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Minal Bhakta, 974-6453.
- 46 PH. C14-2008-0112 - Minware - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4209 Clawson Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Planning Commission Recommendation: To deny community commercial (GR) district zoning. Applicant and Agent: Robert W. Anderson, Jr. City Staff: Clark Patterson, 974-7691. A valid petition has been filed in opposition to this rezoning request.
- 47 PH. C14-2008-0117 - Rey de Bastos - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5811 Manor Road (Fort Branch Creek Watershed) from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Staff Recommendation: To deny commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To deny commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining

district zoning. Applicant: Bernardo Seguara Lujano and Angel Albiter Puebla. Agent: LOC Consultants, LLP (Sergio Lozano Sanchez). City Staff: Joi Harden, 974-2122.

- 48 PH. C14-2008-0217 - Peaceful Hill Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8524 Peaceful Hill Lane (Onion Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant limited office (LO) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Applicant: Randall L. Smitheal Family Trust (Amanda Tatum/Jeremy Smitheal). Agent: McLean & Howard L.L.P. (Jeffrey S. Howard). City Staff: Wendy Rhoades, 974-7719.
- 49 PH. C14-2008-0237 - 0.49 Acres on Hudson Loop - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 7810-7816 Hudson Loop (Williamson Creek Watershed - Barton Springs Zone) from interim-rural residence-neighborhood plan (I-RR-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Applicant and Agent: City of Austin Neighborhood Planning and Zoning Department. City Staff: Wendy Rhoades, 974-7719.
- 50 PH. C14H-2008-0023 - Bradford-Nohra House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4213 Avenue G (Waller Creek Watershed) from townhouse and condominium residence-neighborhood conservation combining district (SF-6-NCCD) combining district zoning to townhouse and condominium residence-historic landmark-neighborhood conservation combining district (SF-6-H-NCCD) combining district zoning. Staff Recommendation: To deny townhouse and condominium residence-historic landmark-neighborhood conservation combining district (SF-6-H-NCCD) combining district zoning. Historic Landmark Commission Recommendation: To grant townhouse and condominium residence-historic landmark-neighborhood conservation combining district (SF-6-H-NCCD) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-historic landmark-neighborhood conservation combining district (SF-6-H-NCCD) combining district zoning. Applicant: Historic Landmark Commission. Agent: Neighborhood Planning and Zoning Department. City Staff: Susan Villarreal, 974-3524. A valid petition has been filed in opposition to this rezoning request.
- 51 PH. C814-06-0233 - Wildflower Commons Planned Unit Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4700-5200 Block of SH 45 (Bear Creek Watershed; Slaughter Creek Watershed - Barton Springs Zone) from single-family residence-standard lot (SF-2) district zoning and general office (GO) district zoning to planned unit development (PUD) district zoning. The Land in the PUD is within the area known as the Barton Springs Zone in which the City's Save Our Springs (SOS) ordinance applies. Application of City ordinances to development of the land is affected by the "Settlement Agreement By and Between the City of Austin and the Bradley Parties" (commonly known as the Bradley Agreement) that ended litigation over development of the land in 2000. PUD zoning may also modify City ordinances applicable to development of the land. Staff Recommendation: To grant planned unit development (PUD) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Applicant: Wildflower Commons, I, L.P. and Wildflower Commons II, L.P. (William S. Walters, III). Agent: Drenner & Golden Stuart Wolff L.L.P (Michele C. Haussmann). City Staff: Wendy Rhoades, 974-7719.

5:30 PM -- Live Music


Amy Cook


5:30 PM -- Proclamations

6:00 PM -- Public Hearings and Possible Actions

- 52 PH. Conduct a public hearing and consider an ordinance adopting the local standards of care for the Parks and Recreation Department's children's recreation program for 2009. Recommended by the Parks and Recreation Board.
- 53 PH. Conduct a public hearing and consider an appeal by Ruben Rodriguez of the Planning Commission's decision to deny an appeal of an administrative disapproval of a site plan (328 Heartwood, SP-2008-0091D) for fill over 4 feet and construction of a retaining wall within the Critical Water Quality Zone of Williamson Creek. August 13, 2007: Board of Adjustment denied variance for a retaining wall and fence greater than 6 feet in height. September 10, 2008: Environmental Board recommended approval of the environmental variances. September 23, 2008: Planning Commission approved staff's recommendation to deny environmental variances. October 28, 2008: Planning Commission approved staff's recommendation to deny an appeal of administrative disapproval of a site plan. Related to Items #32 and 54.
- 54 PH. Conduct a public hearing and consider an ordinance for floodplain variances requested by Mr. Aaron Googins, P.E., of King Engineering, Inc., on behalf of Mr. Ruben Rodriguez to retroactively allow the placement of fill and the construction of a retaining wall in the rear yard of the single-family residence at 328 Heartwood Drive in both the 25-year and 100-year floodplains of Williamson Creek. August 13, 2007: Board of Adjustment denied variance for a retaining wall and fence greater than 6 feet in height. September 10, 2008: Environmental Board recommended approval of the environmental variances. September 23, 2008: Planning Commission approved staff's recommendation to deny environmental variances. October 28, 2008: Planning Commission approved staff's recommendation to deny an appeal of administrative disapproval of a site plan. Related to Items #32 and 53.

Adjourn

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

 *For assistance please call 974-2210 OR 974-2445 TDD.*

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.

2009 Austin City Council Meeting Dates

MEETINGS

January 15, 2009
January 29, 2009
February 12, 2009
February 26, 2009
March 5, 2009
March 12, 2009
March 26, 2009
April 2, 2009
April 23, 2009
April 30, 2009
May 14, 2009
May 21, 2009
June 11, 2009
June 18, 2009
July 23, 2009
August 6, 2009
August 20, 2009
August 27, 2009
September 14, 15 and 16, 2009
(Budget Readings)
September 24, 2009
October 1, 2009
October 15, 2009
October 22, 2009
November 5, 2009
November 19, 2009
December 10, 2009
December 17, 2009

CANCELLED DATES

January 1, 2009
January 8, 2009
January 22, 2009
February 5, 2009
February 19, 2009
March 19, 2009
April 9, 2009
April 16, 2009
May 7, 2009
May 28, 2009
June 4, 2009
June 25, 2009
July 2, 2009
July 9, 2009
July 16, 2009
July 30, 2009
August 13, 2009
September 3, 2009
September 10, 2009
September 17, 2009
October 8, 2009
October 29, 2009
November 12, 2009
November 26, 2009
December 3, 2009
December 24, 2009
December 31, 2009