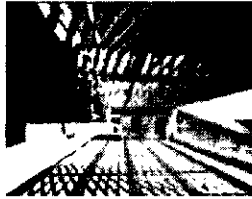
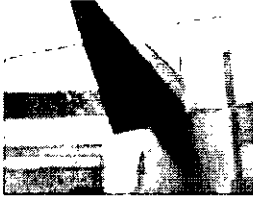


# AGENDA



**Thursday, February 26, 2009**

The Austin City Council will convene at 10:00 AM on  
Thursday, February 26, 2009 at Austin City Hall  
301 W. Second Street, Austin, TX



AUSTIN CITY CLERK  
POSTING: DATE/TIME  
2009 FEB 20 PM 5 31

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.*

**9:55 AM -- Invocation**

Pastor George Holcombe, Asbury United Methodist Church

**10:00 AM -- City Council Convenes**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council February 11, 2009 Work Session and February 12, 2009 Regular meetings.

**Contract and Land Management**

2. Authorize the fee simple acquisition of Lot 11A, of resubdivision of lots 10 and 11, Block 1, of Bergstrom Downs No. 1, locally known as 802 Patton Ave, from Moises and Magdalena Fajardo for the Airport Noise Mitigation Program, in the amount of \$115,000 for the land and improvements and \$32,000 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$157,000. Funding in the amount of \$157,000 is available in Fiscal Year 2008-2009 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
3. Authorize the fee simple acquisition of Lot 12, Block 2, of Bergstrom Downs No. 1, locally known as 801 Patton Avenue, Austin, TX 78742 from Elizabeth J. Henckel for the Airport Noise Mitigation Program, in the amount of \$100,000.00 for the land and improvements and \$38,990.00 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$148,990. Funding in the amount of \$148,990 is available in Fiscal Year 2008-2009 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
4. Authorize the fee simple acquisition of Lot 8, Block 2, Bergstrom Downs No. 1, locally known as 809 Patton Avenue, from Richard William Jacobs, Sr. and wife, Florence Lillian Jacobs for the Airport Noise Mitigation Program, in the amount of \$115,000 for the land and improvements and \$40,900 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$165,900. Funding in the amount of \$165,900 is available in Fiscal Year 2008-2009 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.
5. Authorize the fee simple acquisition of Lot 12, Block 1, of Bergstrom Downs No. 1, locally known as 800 Patton Ave, from Juan and Antonio O. Jaimes for the Airport Noise Mitigation Program, in the amount of \$115,000 for the land and improvements and \$29,900 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$154,900. Funding in the amount of

\$154,900 is available in Fiscal Year 2008-2009 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.

6. Approve the negotiation and execution of a deed to the TRAVIS COUNTY HEALTHCARE DISTRICT for those certain tracts of real property located in Travis County, Texas, at the terminus of Lola Lane, consisting of approximately 1.25 acres and being further described in those deeds recorded at Volume 2255, Pages 199 to 211, of the Deed Records of Travis County, Texas.
7. Approve the negotiation and execution of a deed to the TRAVIS COUNTY HEALTHCARE DISTRICT for the David Powell Clinic located at 4614 North IH 35.
8. Approve the negotiation and execution of the following leases with the TRAVIS COUNTY HEALTHCARE DISTRICT: (a) a 25 year lease for the East Austin Clinic at 211 Comal Street, the Rosewood-Zaragosa Clinic at 2802 Webberville Road, the South Austin Clinic at 2529 South First Street, the ARCH Clinic at 500 East Seventh Street, the AK Black Clinic at 928 Blackson; (b) a 99 year ground lease for the Montopolis Clinic at 1200-B Montopolis Drive; and (c) a five (5) year lease for the fifth floor administrative office space in the RBJ Building at 15 Waller Street.
9. Approve negotiation and execution of an Interlocal Agreement between the City and Travis County to allow the City to design and construct improvements to Bullick Hollow Road in connection with the Water Treatment Plant No. 4 project. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Reviewed by the Water and Wastewater Commission.
10. Authorize execution of Change Order #4 to the construction contract with SOUTHWEST CORPORATION, Austin, Texas, for the Reicher Ranch Renovations for Offices Rebid in the amount of \$57,493.19 for a total contract amount not to exceed \$717,003.51. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. 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 5.89% MBE and 10.10% WBE subcontractor participation to date including this change order. Recommended by the Water and Wastewater Commission.
11. Authorize negotiation and execution of a professional services agreement with one of the following firms: ACP VISIONING & PLANING, LTD, New York, NY (staff recommendation); WALLACE ROBERTS & TODD, LLC, Philadelphia, PA; or HNTB CORPORATION, Austin, TX to provide professional planning services for the Comprehensive Plan for the City of Austin, in an amount not to exceed \$1,300,000. Funding in the amount of \$1,300,000 is available in the Fiscal Year 2008-2009 Capital Budget of the Neighborhood Planning and Zoning Department. Best qualification statement of six (6) statements received. This contract will be 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 16.50% MBE and 14.20% WBE subconsultant participation.
12. Authorize negotiation and execution of an amendment to the professional services agreement with LOCKWOOD, ANDREWS & NEWMAN, INC., Austin, Texas, for fee adjustment for Supplemental Agreement 3 for remaining post-bid and construction phase services in an amount not to exceed \$26,142; for a total agreement, including administratively approved Supplemental Amendment 2 for additional design services in the amount of \$30,704.42, not to exceed \$477,441. Funding in the amount of \$26,142 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) with 19.20% MBE and 9.97% WBE subcontractor participation to date. Recommended by Water and Wastewater Commission.
13. Authorize negotiation and execution of a professional services agreement with CH2M HILL, INC. Austin, TX to provide professional engineering services for the Water Distribution Control System and Lift Station Telemetry Supervisory Control and Data

Acquisition Systems (SCADA) Improvements, in an amount not to exceed \$1,000,000. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Austin Water Utility. Best qualification statement of six (6) statements received. This contract will be 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 8.13% MBE and 4.31% WBE subconsultant participation. Recommended by Water and Wastewater Commission.

#### **Economic Growth & Redevelopment Services**

14. Authorize the negotiation and execution of a professional services agreement with Chris Levack, Austin, TX, in an amount not to exceed \$86,000, for the fabrication/installation of an artwork component in the combination skate park and BMX bike course to be located next to the Austin Recreation Center, near 12th Street and Lamar Blvd. Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Parks and Recreation Department. The Art in Public Place Panel approved the artist's final design on November 3, 2008 (5-1-0); The Austin Arts Commission unanimously approved the artist's final design on November 17, 2008.
15. Approve an ordinance amending the City's Economic Development Program related to "project-based" economic development incentives.

#### **Health and Human Services**

16. Approve an ordinance accepting \$10,229 in grant funds from the Texas Department of Housing and Community Affairs, Community Services Block Grant, and amending the Fiscal Year 2008-2009 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$10,229 for the delivery of basic needs, case management, employment support, and preventive health services to low-income residents. Funding in the amount of \$10,229 is available from the Texas Department of Housing and Community Affairs, Community Services Block Grant. The grant period is January 1, 2009 through December 31, 2009. No City match is required.
17. Authorize negotiation and execution of an Interlocal Agreement between the City and the University of Texas School of Public Health-Austin for nutritional and physical activity interventions for the Health and Human Services Department's Health Promotion/ Disease Prevention Unit Diabetes Program, for the term February 26, 2009 through June 29, 2009, in an amount not to exceed \$30,000. Funding in the amount of \$30,000 is available in the Fiscal Year 2008-2009 Operating Budget for the Health and Human Services Department Special Revenue Fund. The grant period is for the period September 22, 2008 through June 29, 2009.
18. Approve an ordinance accepting \$50,000 in grant funds from the Texas Department of State Health Services, Community Diabetes Projects-Texas Diabetes Program; and amending the Fiscal Year 2008-2009 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20080908-002 to appropriate \$50,000 for the Health Promotion/Disease Prevention Unit. Funding in the amount of \$50,000 is available from the Texas Department of State Health Services. The grant period is from September 1, 2008 through August 31, 2009. A City match is not required.

#### **Public Information Office**

19. Authorize the negotiation and execution of an interlocal agreement between the City of Austin and Capital Metropolitan Transportation Authority (Capital Metro) for the City of Austin Channel 6 staff to produce and televise Capital Metro Board of Directors meetings. There is no unanticipated fiscal impact. A fiscal note is not required. Funding to reimburse the City for costs associated with the agreement will be provided by the Capital Metropolitan Transportation Authority.

## **Transportation**

20. Approve issuance of a street event permit for the FADO'S Irish Pub Festival, a fee-paid event in the 200 block of West 4th Street between Colorado Street and Lavaca Street. The event is scheduled for March 17, 2009 from 10:00 a.m. to midnight. There is no unanticipated fiscal impact. A fiscal note is not required.

## **Item(s) from Council**

21. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
22. Approve a resolution directing the City Manager to prepare an ordinance for council consideration regarding an enhanced process for review of economic incentive proposals. (Council Member Laura Morrison, Council Member Randi Shade and Council Member Lee Leffingwell)

## **Item(s) to Set Public Hearing(s)**

23. Set a public hearing to receive citizen input on community needs for the development of the City's (1) five-year Consolidated Plan for Fiscal Years 2009 - 2014, as required by the U.S. Department of Housing and Urban Development; (2) the Annual Fiscal Year 2009-2010 Action Plan, as required by the U.S. Department of Housing and Urban Development; and (3) the Community Development 2009-2010 Program as required by Texas Local Government Code Chapter 373. (Suggested date and time: March 5, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.).
24. Set a public hearing to consider an ordinance repealing and replacing Article 4 of Chapter 25-12 (The Electrical Code) of the City Code to adopt the 2008 National Electrical Code and local amendments to the Electrical Code. (Suggested date and time: March 5, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) Recommended by the Electric Board.
25. Set a public hearing to consider and approve amendments to Title 25 of the City Code, to grant a one-time extension of the period of time for projects and site plans to remain valid. (Suggested date and time: March 12, 2009, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) To be reviewed by the Planning Commission on February 24, 2008 and March 10, 2008.

## **10:30 AM -- Morning Briefings**

26. Presentation of Action Plan for Fiscal Year 2009 Budget

## **12:00 PM -- Citizen Communications: General**

Rae Nadler - Olenick - Water fluoridation

Bill Boulton - False 311 calls - unnecessary City service expense

Bill Wigmore - Austin's recovery annual report as requested by Mayor Will Wynn

Gus Pena - 1.To discuss city issues 2. Crime is on the rise; we need all of the officers on the job, no layoffs 3. Please do not decrease funding for social service agencies; the need is greater in this recession and bad economy 4. Pray for our military veterans they need reentry programs, jobs, housing, treatment for mental health issues and PTSD 5.

Do not cut funding for senior citizen and youth programs; fully fund the youth summer job programs

Pat Johnson - City issues

Jill Chamberlain - Discrepancies in the parks departments' information

Paul Robbins - City issues

Nailah Sankofa - Black art programming and funding issues for black artists

Mike Mchone - University neighborhood overlay district update of progress

Marita Hayden - Affordable housing

### **Executive Session**

27. Discuss legal issues related to the proposed Boardwalk on Lady Bird Lake. (Private Consultation with Attorney - Section 551.071).

### **2:00 PM -- Briefings**

28. Briefing on staff recommendations related to regulatory, operational, and enforcement requirements for outdoor music venues and live music at restaurants, and consideration of a related ordinance, including a temporary moratorium on the issuance or renewal of permits under Section 9-2-12 of the City Code.
29. Sidewalk Master Plan briefing

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

30. 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 at 4808 William Cannon Drive 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: 5-1 (Morrison voted Nay; Martinez off the dais.). City Staff: Maureen Meredith, 974-2695; Minal Bhakta, Department; 974-6453 and Gregory Montes, 974-2629.
31. 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)**

- 32 PH. C14-2008-0159 - 3rd and Colorado Hotel - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 311 Colorado, 301 Colorado and 114 W. 3rd St. (Town Lake Watershed) from central business district (CBD) 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. Planning Commission Recommendation: To grant central business district-central urban redevelopment (CBD-CURE) combining district zoning. Applicant: S/H Austin Partnership (John Beauchamp). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Haussmann). City Staff: Clark Patterson, 974-7691.
- 33 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.
- 34 PH. NPA-2008-0012.03 - Pediatric Cardiology - Conduct a public hearing and approve an ordinance amending Ordinance No. 020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from civic to office for the property located at 1110 E. 32nd Street (Boggy Creek Urban Watershed). Staff Recommendation: To approve office land use designation. Planning Commission Recommendation: To approve office land use designation. Applicant: D. Byron Holt, M.D.. Agent: Jim Wittliff. City Staff: Maureen Meredith, 974-2695.
- 35 PH. C14-2008-0231 - Pediatric Cardiology - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1110 E. 32nd Street (Boggy Creek Watershed) from neighborhood office-historic landmark-neighborhood plan (NO-H-NP) combining district zoning to limited office-historic landmark-conditional overlay-neighborhood plan (LO-H-CO-NP) combining district zoning. Staff Recommendation: To grant limited office-historic landmark-conditional overlay-neighborhood plan (LO-H-CO-NP) combining district zoning. Planning Commission Recommendation: To grant limited office-historic landmark-conditional overlay-neighborhood plan (LO-H-CO-NP) combining district zoning. Applicant: SWH Properties, L.L.C. (D. Byron Holt, M.D.). Agent: Land Answers Development Planning Consultants (Jim Wittliff). City Staff: Joi Harden, 974-2122.
- 36 PH. C14-2007-0262 (Part) - Central Austin Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve on first reading an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations on Tract 10, located at 711 W. 38th Street. The Central Austin Combined Neighborhood Planning Area is

bounded by 45th Street on the north, IH-35 on the east, Martin Luther King, Jr. Boulevard on the south, and Lamar Boulevard on the west, excluding the University of Texas at Austin campus (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 Tract 10 within the Central Austin Combined Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district zoning with Dimensional Standards on the GR-CO-NP portion of Tract 10. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Minal Bhakta, 974-6453.

- 37 PH. C14-2008-0250 - 112 Academy Drive - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 112 Academy Drive (East Bouldin Creek Watershed) from community commercial-historic landmark-neighborhood conservation combining district-neighborhood plan (GR-H-NCCD-NP) combining district zoning to commercial liquor sales-historic landmark-neighborhood conservation combining district-neighborhood plan (CS-1-H-NCCD-NP) combining district zoning. Staff Recommendation: To grant commercial liquor sales-historic landmark-neighborhood conservation combining district-neighborhood plan (CS-1-H-NCCD-NP) combining district zoning. Planning Commission Recommendation: To grant commercial liquor sales-historic landmark-neighborhood conservation combining district-neighborhood plan (CS-1-H-NCCD-NP) combining district zoning. Applicant: 112 Academy, LLC. Agent: Brown McCarroll, L.L.P. (Andy Martin). City Staff: Stephen Rye, 974-7604.
- 38 PH. C14-2008-0221 - Conn Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11821-12124 South IH-35 Service Road Northbound (Onion Creek Watershed) from unzoned to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Applicant: South IH-35 Investors, L.P. (C.W. Hetherly, Jr.) Agent: Graves, Dougherty, Hearon & Moody, P.C. (Peter Cesaro). City Staff: Wendy Rhoades, 974-7719.
- 39 PH. C14-2008-0230 - 905 East Live Oak - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 905 East Live Oak Street (Blunn Creek Watershed) from single-family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Applicant and Agent: Greg Bodle. City Staff: Stephen Rye, 974-7604.
- 40 PH. C14-2008-0239 - Courtyard Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5811 Southwest Parkway (Barton Creek Watershed - Barton Springs Zone) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to neighborhood commercial-conditional overlay (LR-CO) combining district zoning to change a condition of zoning. Staff Recommendation: To deny neighborhood commercial-conditional overlay (LR-CO) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning to change a condition of zoning. Applicant: Realtex (Larry Rother). Agent: McDill Engineering (Tom McDill). City Staff: Stephen Rye, 974-7604.



- 41 PH. C14-2008-0247 - Buckets Deli - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2020 East Cesar Chavez Street (Town Lake Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-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: Paul Rodriguez. Agent: Hajjar Sutherland & Kelly, L.L.P. (Kareem Hajjar). City Staff: Joi Harden, 974-2122. A valid petition has been filed in opposition to this rezoning request.
- 42 PH. C14-2008-0127 - Cantarra Commercial - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 3112 1/2 Gregg Lane (Harris Branch Watershed) from interim-rural residence (I-RR) district zoning to neighborhood commercial (LR) district zoning with conditions. Staff Recommendation: To grant neighborhood commercial (LR) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant neighborhood commercial (LR) district zoning with conditions. Applicant: Horizon Bank & Trust/Compass Bank (Joe C. Benson, Jr.). Agent: Carlson, Brigrance & Doering, Inc. (Jennifer Rummel). City Staff: Sherri Sirwaitis, 974-3057.
- 43 PH. C14-2008-0214 - Tex-Tar Waterproofing - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11600 N. IH-35 SVRD Southbound (Walnut Creek Watershed) from neighborhood commercial (LR) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Staff Recommendation: To deny general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To deny limited industrial service-conditional overlay (LI-CO) combining district zoning. Applicant: Richard Johnson. Agent: Jackson Walker L.L.P. (Katherine Loayza). City Staff: Joi Harden, 974-2122.
- 44 PH. C14-2008-0248 - North Loop Pub - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 100 East North Loop Blvd. (Waller Creek Watershed) from community commercial-conditional overlay neighborhood plan (GR-CO-NP) combining district zoning to commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Planning Commission Recommendation: To grant commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Applicant: Terrell Timmerman. Agent: Vincent Gerard & Associates (Vince Huebinger). City Staff: Clark Patterson, 974-7691.
- 45 PH. C814-2008-0146 - Oertli PUD - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12422 & 12424 Dessau Road and 1200 East Parmer Lane (Harris Branch/Walnut Creek Watershed) from development reserve (DR) district zoning and single-family residence-standard lot (SF-2) district zoning to planned unit development (PUD) district zoning. 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: Jerry Oertli Estate (Linda Oertli). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Clark Patterson, 974-7691.
- 46 PH. C8-85-161.01.3(86)(RCT) - Wells Branch Commercial Center - Conduct a public hearing and approve termination of a restrictive covenant requiring joint use and access for the property located at 1205 Wells Branch Parkway (Harris Branch Watershed). Staff Recommendation: To approve termination of the restrictive covenant. Planning Commission Recommendation: To approve termination of the restrictive covenant. Applicant: Michael Voticky. Agent: Ron Thrower. City Staff: Clark Patterson, 974-7691.

**5:30 PM -- Live Music**


Randy Weeks


**5:30 PM -- Proclamations**

**6:00 PM -- Public Hearings and Possible Actions**

- 47 PH. Conduct a public hearing for the full purpose annexation of Barclay Drive ROW Annexation Area (Approximately 0.10 acre in Travis County at the northernmost extent of Barclay Drive which is approximately 400 feet north of the intersection of Barclay Drive and Wild Briar Pass).
- 48 PH. Conduct a public hearing for the full purpose annexation of the International Residence Apartments Annexation Area (Approximately 4 acres in southern Williamson County at the northeast corner of the intersection of Copper Creek Drive and Pond Woods Road).
- 49 PH. Conduct a public hearing for the full purpose annexation of the South IH 35 Annexation Area (Approximately 58 acres in southern Travis County east of IH 35 approximately one half mile south of the intersection of IH 35 and Onion Creek Parkway)
- 50 PH. Conduct a public hearing and consider a request by MARTEX-BBQ LLC, the owner of property located at 9207 North Lamar Boulevard, for a waiver from the distance requirement of City Code Section 4-9-4(A) which requires a minimum of 300 feet between a business that sells alcoholic beverages and a public school.
- 51 PH. Conduct a public hearing and consider an ordinance amending the Land Development Code, Chapter 25-10, to allow sidewalk signs in commercial areas of the City. To be reviewed by the Planning Commission on February 24, 2009.

**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	CANCELLED DATES
	January 1, 2009
	January 8, 2009
January 15, 2009	
	January 22, 2009
January 29, 2009	
	February 5, 2009
February 12, 2009	
	February 19, 2009
February 26, 2009	
March 5, 2009	
March 12, 2009	
	March 19, 2009
March 26, 2009	
April 2, 2009	
	April 9, 2009
	April 16, 2009
April 23, 2009	
April 30, 2009	
	May 7, 2009
May 14, 2009	
May 21, 2009	
	May 28, 2009
	June 4, 2009
June 11, 2009	
June 18, 2009	
	June 25, 2009
	July 2, 2009
	July 9, 2009
	July 16, 2009
July 23, 2009	
	July 30, 2009
August 6, 2009	
	August 13, 2009
August 20, 2009	
August 27, 2009	
	September 3, 2009
	September 10, 2009
September 14, 15 and 16, 2009 (Budget Readings)	
	September 17, 2009
September 24, 2009	
October 1, 2009	
	October 8, 2009
October 15, 2009	
October 22, 2009	
	October 29, 2009
November 5, 2009	
	November 12, 2009
November 19, 2009	
	November 26, 2009
	December 3, 2009
December 10, 2009	
December 17, 2009	
	December 24, 2009
	December 31, 2009