

A U S T I N C I T Y C O U N C I L

# AGENDA



## AUSTIN CITY COUNCIL WORK SESSION

Tuesday, February 12, 2013

The Austin City Council will convene at 9:00 AM on  
Tuesday, February 12, 2013 at Austin City Hall  
301 W. Second Street, Austin, TX



**Mayor Lee Leffingwell**  
**Mayor Pro Tem Sheryl Cole**  
**Council Member Chris Riley, Place 1**  
**Council Member Mike Martinez, Place 2**  
**Council Member Kathie Tovo, Place 3**  
**Council Member Laura Morrison, Place 4**  
**Council Member William Spelman, Place 5**

For meeting information, contact the 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.*

**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.**

## **9:00 AM – City Council Convenes**

### **A. Discussion and Possible Action**

- A.1 Approve an ordinance amending the Fiscal Year 2012-2013 Operating Budget (Ordinance No. 20120910-001) to transfer and appropriate funds for cemetery maintenance and operations, and for implementation of a civil service system and establishment of council districts as approved by the voters in November of 2012.
- A.2 Approve an ordinance amending the Fiscal Year 2012-2013 Operating Budget (Ordinance No. 20120910-001) and Capital Budget (Ordinance No. 20120910-002) to transfer and appropriate funds for municipal purposes pursuant to Council's mid-year budget priorities.

### **B. Pre-Selected Agenda Items**

### **C. Council Discussion**

### **D. Council Items of Interest**

### **E. Briefings**

## **Consent**

### **Austin Energy**

- 2. Approve issuance of a rebate to Amaravathi LP for performing duct diagnostics and improvements at Monterone at Steiner Ranch Apartments located at 4500 Steiner Ranch Blvd., Austin, Texas, in an amount not to exceed \$200,000.
- 3. Approve issuance of a rebate to Austin Garden Apartments, LTD, for performing comprehensive energy efficiency upgrades at the Austin Garden Apartments located at 7401 N. Lamar Blvd., Austin, Texas, in an amount not to exceed \$75,000.

### **Contract Management**

4. Authorize execution of a construction contract with THE BARR CO., AIA, for the Copperfield Neighborhood Park Development in the amount of \$600,700 plus a \$60,070 contingency, for a total contract amount not to exceed \$660,770.  
( Notes: 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 21.56% MBE and 2.80% WBE subcontractor participation. )
5. Authorize execution of change order #5 to the construction contract with JERDON ENTERPRISE for the Colorado Street Reconstruction and Utility Adjustment from Third Street to Seventh Street Project, a 2010 Bond Program and ACCELERATE AUSTIN PROJECT in the amount of \$147,986.24 plus additional contingency in the amount of \$100,000, for a total contract amount not to exceed \$6,357,963.70.  
( Notes: This contract was awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) with 9.17% MBE and 3.73% WBE subcontractor participation to date including this change order. )
6. Authorize negotiation and execution of a professional services agreement with KBR/RPS ESPEY JOINT VENTURE for engineering services related to coordination of the Waller Creek Tunnel Program with the Waller Creek Conservancy Design in an amount not to exceed \$250,000. Related to Item #25.  
( Notes: This contract will be awarded in compliance with Chapter 2-9B 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. )
7. Authorize execution of a construction contract with BIS TEPSCO, INC. for the installation of Chilled Water Piping Construction in the Right-of-Way in an amount of \$2,573,269, with an optional 12-month extension for a not-to-exceed amount of \$5,146,538.  
( Notes: 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 8.32% MBE and 19.31% WBE subcontractor participation. )
8. Approve a resolution making an initial determination as to whether good cause exists to believe that alleged wage violations occurred on a City construction project for prevailing wage complaints, in accordance with Texas Government Code, Section 2258.052, and as recommended by staff, on the following project: African American Cultural and Heritage Facility.
9. Authorize execution of a construction contract with MUNIZ CONCRETE & CONTRACTING INC. (MH 88.25%), for the North Walnut Creek Bike Trail Project in the amount of \$5,645,806.38 plus a \$282,290.32 contingency, for a

total contract amount not to exceed \$5,928,096.70. Related to Item #22.  
( Notes: 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 goals with 88.25% prime and 1.82% subcontractor DBE participation. )

### **Health and Human Services**

10. Authorize negotiation and execution of a contract amendment with WORKERS' ASSISTANCE PROGRAM, for juvenile crime prevention services under the 78744 Youth of Promise Initiative Community Youth Development Program in an amount not to exceed \$5,500 for a total 12-month revised contract amount not to exceed \$28,926.69 for the period September 1, 2012 to August 31, 2013, and a revised total contract amount not to exceed \$92,280.07.
11. Approve negotiation and execution of amendments to contracts with the following two providers of HIV-related services under the Ryan White Part A HIV Emergency Relief Project and Minority AIDS Initiative Grant Program: AIDS SERVICES OF AUSTIN, INC., in an amount not to exceed \$216,848 for a total contract amount not to exceed \$1,337,802 and with PROJECT TRANSITIONS, INC. in an amount not to exceed \$25,000 for a total contract amount not to exceed \$102,673.

### **Law**

12. Authorize negotiation and execution of an amendment to a legal services contract with Renea Hicks for services related to City of Austin v. Harry M. Whittington, et al, Cause No. D-1-GV-07-00942 in the 353rd District Court of Travis County Texas, in the amount of \$25,000, for a total contract amount not to exceed \$147,000.
13. Authorize negotiation and execution of a legal services agreement with Mayer Brown to provide legal services related to MBE/WBE issues in an amount not to exceed \$90,000.

### **Neighborhood Housing and Community Development**

14. Approve a resolution for the conditional commitment of a loan in an amount not to exceed \$2,250,000 to Foundation Communities, Inc. for a proposed 138-unit multi-family development to be located at 3226 West Slaughter Lane, with funding being conditional upon the award of tax credits to Foundation Communities, Inc. by the Texas Department of Housing and Community Affairs for the proposed project.
15. Approve a resolution for a conditional commitment of a loan in an amount not to exceed \$1,200,000 to 2007 Travis Heights, LP, an affiliate of Eureka

Holdings, Inc., for the proposed demolition of existing structures and the new construction of 170 units located at 2324 Wilson Street, with funding being conditional upon the award of tax credits to 2007 Travis Heights, LP by the Texas Department of Housing and Community Affairs for the proposed project.

16. Approve a resolution for a conditional commitment of a loan in an amount not to exceed \$2,260,500 to DMA Development Company, LLC for a proposed 180-unit multi-family development to be located at 4800 Berkman Drive, with funding being conditional upon the award of tax credits to DMA Development Company, LLC by the Texas Department of Housing and Community Affairs for the proposed project.
17. Approve a resolution for a conditional commitment of a loan in an amount not to exceed \$1,200,000 to Cadence Multifamily, LLC for a proposed 152-unit senior development to be located at 7501 U.S. Highway 290 West, with funding being conditional upon the award of tax credits to Cadence Multifamily, LLC by the Texas Department of Housing and Community Affairs for the proposed project.
18. Approve a resolution for the conditional commitment of a loan in an amount not to exceed \$2,130,000 to Songhai Development Company, LLC for a proposed 142-unit multi-family development to be located at 8700 West Gate Boulevard, with funding being conditional upon the award of tax credits to Songhai Development Company, LLC by the Texas Department of Housing and Community Affairs for the proposed project.
19. Approve a resolution for the conditional commitment of a loan in an amount not to exceed \$1,800,000 to Foundation Communities, Inc. for a proposed 110-unit multi-family development to be located at 2800 South Lamar Boulevard, with funding being conditional upon the award of tax credits to Foundation Communities, Inc. by the Texas Department of Housing and Community Affairs for the proposed project.
20. Approve a resolution identifying the proposed 180-unit multi-family development which will be located at 4800 Berkman Drive, and developed by Austin DMA Housing II, LLC, as a project that contributes most significantly to the concerted revitalization efforts of the City and complies with the requirements of the Texas Administrative Code, Title 10, Section 11.9(d)(6)(A)(ii)(III) pertaining to the rules governing the competitive Low Income Housing Tax Credit Program of the Texas Department of Housing and Community Affairs.

### **Parks and Recreation**

21. Approve an exemption to the Smoking in Public Places ordinance (No. 20111215-019) for a Temporary Designated Smoking Area at Auditorium Shores for March 14-16, 2013, for the South by Southwest concert series.

22. Approve an Ordinance amending the Fiscal Year 2012-2013 Parks and Recreation Department Capital Budget (Ordinance No. 20120910-002) to reallocate and appropriate \$1,400,000 from facility renovations and improvements to trails; amending the Fiscal Year 2012-2013 Financial Services Department Capital Budget (Ordinance No. 20120910-002) to transfer \$1,201,455 to the Parks and Recreation Department Capital Budget; and amending the Fiscal Year 2012-2013 Parks and Recreation Department Capital Budget (Ordinance No. 20120910-002) to appropriate the \$1,201,455 transfer for the Northern Walnut Creek Trail project. Related to Item #9.

### **Planning and Development Review**

23. Approve an ordinance adopting the Amended and Restated Strategic Partnership Agreement (SPA) between the City of Austin and Lost Creek Municipal Utility District.
24. Approve an ordinance waiving City Code Section 25-6-501(E) and authorizing the director to approve disabled parking adjacent to 1600 South Congress and superseding conflicting requirements of the City Code.
25. Authorize negotiation and execution of an amendment to the Memorandum of Understanding between the City and Waller Creek Conservancy for the City to contribute an amount not to exceed \$270,000 toward the Waller Creek Conservancy's hiring of Michael Van Valkenburgh Associates/Thomas Phifer & Partners for design services related to coordination of the Waller Creek Tunnel Program with the Waller Creek Design and to evaluate and initiate limited construction revisions to accommodate the MVVA site design. Related to Item #6.
26. Approve an ordinance regarding a Managed Growth Agreement with Shady Hollow Garden Townhomes, for the 34.94 acre tract located at 2601 and 2645 Frate Barker Road known as the Shady Hollow Garden Townhomes site plan SP-2008-0061C(XT2).MGA.

### **Purchasing Office**

27. Authorize award, negotiation, and execution of Amendment No. 5 to a contract with MOTOROLA SOLUTIONS, INC. to add a software upgrade, additional licenses, implementation, support, and hosting services and one 12-month contract extension for the existing Customer Service Request system in an amount not to exceed \$723,559, and to increase the first and second extension options in amounts not to exceed \$64,464 and \$66,168 respectively, for a total contract amount not to exceed \$3,481,403.
28. Authorize award, negotiation, and execution of a 24-month requirements service contract with PRIME CONTROLS, or the other qualified offeror to RFP No. OPJ0102, to provide upgrades and maintenance for the existing

controls automation systems to four Austin Energy District Cooling Plants in an estimated amount not to exceed \$1,100,000, with two 12-month extension options in an estimated amount not to exceed \$550,000 per extension option, for a total estimated contract amount not to exceed \$2,200,000.

( Notes: 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. )

29. Approve ratification of Amendment No. 1 to a contract with FLOWSERVE US INC. for repairs to a start up boiler feed pump for Austin Energy's Decker Creek Power Station to increase the contract authorization in an estimated amount not to exceed \$40,070, for a revised total contract amount not to exceed \$72,560.  
( Notes: This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This was an emergency service contract; therefore, it is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this solicitation. )
30. Authorize award and execution of Amendment No. 3 to a contract with KIMLEY-HORN AND ASSOCIATES, INC., to incorporate the Travel Time Data Integration and Bus Rapid Transit Project Management programs for the City of Austin's Advanced Transportation Management System in an estimated amount not to exceed \$354,600, for a revised total estimated contract amount not to exceed \$2,266,350.  
( Notes: 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 contract. )
31. Authorize award and execution of a 36-month requirement services contract with STANLEY CONVERGENT SECURITY SOLUTIONS, INC. for monitoring, maintenance, testing, and repair of security and fire alarms for the Austin Public Library in an estimated amount not to exceed \$798,582, with three 12-month extension options in estimated amounts not to exceed \$266,194 per extension option, for a total estimated contract amount not to exceed \$1,597,164.  
( Notes: 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. )
32. Authorize award, negotiation, and execution of a 12-month service contract with ENERNOC, INC., or one of the other qualified offerors to RFP No. TVN0027, to provide consulting services to expand Austin Energy's Commercial & Industrial Demand Response program in an estimated amount not to exceed \$586,080, with four 12-month extension options in an

estimated amount not to exceed \$510,000 per extension option, for a total estimated contract amount not to exceed \$2,626,080.

( Notes: 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. )

33. Authorize award, negotiation, and execution of various requirements supply and service agreements for a 12-month period through the following cooperative purchasing programs: TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD), U. S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE, and TEXAS MULTIPLE AWARD SCHEDULE (TXMAS), for the purchase and installation of furniture and fixtures for offices and various areas for various City Departments, in an estimated amount not to exceed \$2,000,000 each and combined, with four 12-month extension options in an estimated amount not to exceed \$1,700,000 each and combined per extension option, for a total estimated contract amount not to exceed \$8,800,000, each and combined.  
( Notes: 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 contract. )
34. Authorize the execution of a 12-month interlocal agreement between the City of Austin and Capital Area Council of Governments (CAPCOG) for access to the Enhanced 9-1-1 Services database and Centralized Automatic Message Accounting (CAMA) Trunks services for the Communication and Technology Management Department in an estimated amount not to exceed \$12,000, with four 12-month extension options in an estimated amount not to exceed \$14,000 per year, for a total estimated contract amount not to exceed \$68,000.  
( Notes: This Interlocal Agreement is exempt from the MBE/WBE Ordinance. This exemption is 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. )
35. Authorize the execution of a 12-month interlocal agreement between the City of Austin and Capital Area Council of Governments (CAPCOG) for access to the Enhanced 9-1-1 Services database for the Aviation Department in an estimated amount not to exceed \$2,000, with four 12-month extension options in an estimated amount not to exceed \$2,000 per year, for a total estimated contract amount not to exceed \$10,000.  
( Notes: This Interlocal Agreement is exempt from the MBE/WBE Ordinance. This exemption is 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. )

## **Transportation**

36. Approve issuance of a street event permit under Chapter 14-8 of the City Code for the FADO'S Irish Pub St. Patrick's Day Festival, a fee paid-event in the 200 block of West 4th Street between Colorado Street and Lavaca Street which is to be held on Sunday, March 17, 2013.

## **Watershed Protection Department**

37. Authorize negotiation and execution of a 12-month interlocal agreement with the University of Texas at Austin—Lady Bird Johnson Wildflower Center to validate invasive plant species data and develop and conduct invasive plant species training workshops in an amount not to exceed \$25,000.

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

38. Approve appointments and certain related waivers to citizen boards and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
39. Approve an ordinance authorizing the waiver of certain fees and requirements under City Code Chapter 14-8, authorizing the waiver of certain other fees and requirements, and authorizing payment of certain costs for the City co-sponsored 2013 South by Southwest Conferences and Festivals, to be held March 8-17, 2013.  
( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Mike Martinez )
40. Approve an ordinance waiving certain fees and requirements and authorizing payment of certain costs for the City co-sponsored 2013 Zilker Park Kite Festival, to be held Sunday, March 3, 2013.  
( Notes: SPONSOR: Council Member Chris Riley CO 1: Mayor Lee Leffingwell CO 2: Council Member Mike Martinez )
41. Approve an ordinance waiving certain fees for the 2013 Bengali and South Asian New Year Festival event sponsored by Texas Bengali Cultural Alliance which is to be held Saturday, April 13, 2013 at Zilker Hillside Theater.  
( Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Kathie Tovo CO 2: Council Member Chris Riley )
42. Approve an ordinance reimbursing certain fees for the Leadership Austin Diversity Day meeting which was held on Wednesday, December 19, 2012, at the Zilker Botanical Gardens Center.  
( Notes: SPONSOR: Mayor Pro Tem Sheryl Cole CO 1: Council Member Mike Martinez )
43. Approve an ordinance creating a Commission on Veterans Affairs.

( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Kathie Tovo CO 2: Council Member Mike Martinez )

44. Approve an ordinance granting a variance that authorizes payment instead of structural controls required under City Code Section 25-8-211 for six specified lots in the Austin Lake Hills Section 2 Subdivision, located in the Lake Austin watershed.

( Notes: SPONSOR: Council Member William Spelman CO 1: Mayor Pro Tem Sheryl Cole CO 2: Council Member Chris Riley )

45. Approve an ordinance providing for the Municipal Civil Service Commission and amending City Code Chapter 2-1.

( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Mayor Pro Tem Sheryl Cole )

46. Approve a resolution directing the City Manager to develop a draft ordinance and plan to transition the governance of Austin Energy to an independent board of trustees.

( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member William Spelman CO 2: Mayor Pro Tem Sheryl Cole )

47. Approve a resolution cancelling the February 21, 2013 City Council Budget Retreat.

( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member William Spelman CO 2: Mayor Pro Tem Sheryl Cole )

48. Approve a resolution supporting full expansion of Medicaid coverage in Texas and amending the City's Legislative Agenda to reflect that support.

( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Laura Morrison )

49. Approve a resolution to accept the recommendations of the Music Commission and directing the City Manager to bring forward any code changes necessary to enact those recommendations.

( Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member William Spelman )

50. Approve a resolution directing the City Manager to report on solutions to improve Austin Police Department forensic lab test report turn-around times.

( Notes: SPONSOR: Mayor Lee Leffingwell CO 1: Council Member Mike Martinez )

51. Approve a resolution directing the City Manager to utilize a peer review process to identify best practices of peer U.S. city planning departments relating to residential permit review and solicit their recommendations.

( Notes: SPONSOR: Council Member Laura Morrison CO 1: Council Member Chris Riley )

52. Approve a resolution initiating amendments to City Code Chapter 25-2 to reinstate site development regulations for the "Single-Family Residential" use, which were formerly codified in Section 25-2-780 and inadvertently repealed. ( Notes: SPONSOR: Council Member Laura Morrison CO 1: Mayor Lee Leffingwell )

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

53. Set a public hearing to consider an ordinance amending Chapter 25-2 of the City Code to allow Community Events use for the Zach Scott Theater area. (Suggested date and time: February 28, 2013, 4:00p.m. Austin City Hall, 301 W. Second Street, Austin, TX).
54. Set public hearings to consider the limited purpose annexation of the Estancia annexation area (approximately 600 acres in southern Travis County west of IH 35 South approximately eight tenths of a mile south of the intersection of IH 35 South and Onion Creek Parkway). (Suggested dates and times: March 21, 2013, 4:00 p.m. and March 28, 2013, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

#### **Non-Consent**

##### **Briefings**

55. Austin Energy Quarterly Briefing

##### **Executive Session**

56. Discuss legal issues related to Open Government matters ( Private consultation with legal counsel-Section 551.071)
57. Discuss legal issues related to the November 6, 2012 election (Private consultation with legal counsel- Section 551.071)
58. Discuss legal issues related to Chapter 245 of the Local Government Code and related provisions of City Code Chapter 25-1, Article 12 (Project Duration) (Private consultation with legal counsel-Section 551.071)
59. Discuss legal issues related to PUCT Docket No. 40627, Petition by Homeowners United for Rate Fairness to Review City of Austin Rate Ordinance No. 20120607-055 (Private consultation with legal counsel - Section 551.071).
60. Discuss legal issues related to Cause No. D-1-GN-04-002823; Thomas Nowotny v. City of Austin; In the District Court of Travis County, Texas, 250th Judicial District (Private consultation with legal counsel-Section 551.071).

## **Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

61. C14-2012-0032 – Del Curto Homes – Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2905 Del Curto Road and 1814 Lightsey Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning, with conditions. First reading approved on December 6, 2012. Vote: 7-0. Second reading on January 31, 2013. Owner/Applicant: PSW Lightsey, LP (J. Ryan Diepenbrock). City Staff: Heather Chaffin, 974-2122. A valid petition has been filed in opposition to this rezoning request.
62. C14-2012-0070 - Drink. Well. Rezone - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 207 East 53rd Street (Waller Creek Watershed) from neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district zoning to community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning. First reading approved on September 27, 2012. Vote 6-0. Mayor Pro Tem Cole was off the dais. Second reading approved on December 6, 2012. Vote 7-0. Applicant: M & J Properties, L.L.C. (Michael Sanders). Agent: Vasquez Ventures, L.L.C. (Rick Vasquez). City Staff: Clark Patterson, 974-7691.
63. C14-2012-0097 – Little Woodrow’s Bar & Restaurant – Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5425 Burnet Road (Waller Creek Watershed) from general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning to commercial liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district zoning. First reading approved on December 13th, 2012. Vote 4-2, Council Member Martinez off the dais. Second reading approved on January 31st, 2013. Vote 4-3. Applicant: Rick Engel. Agent: Alice Glasco Consulting, Inc. (Alice Glasco). City Staff: Clark Patterson, 974-7691.
64. C14-2012-0101 – 9310 Georgian Drive – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9310 Georgian Drive (Little Walnut Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. First Reading approved on January 17, 2013. Vote: 6-0, Mayor Leffingwell was absent. Owner/Applicant: Amir Hossein Batoeinng. City Staff: Sherri Sirwaitis, 974-3057.
65. C14-2012-0113 – 7003 E Riverside – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning

property locally known as 7003 East Riverside Drive (Carson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning, with conditions. First Reading approved on December 6, 2012. Vote: 7-0. Owner: Bradsher Family Trust (Jack Bradsher). Applicant: Thrower Design (Ron Thrower). City Staff: Lee Heckman, 974-7604.

66. C14-2012-0114 - Monaco II - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2440 Wickersham Lane (Country Club East Creek Watershed) from mutli-family residence-low density (MF-2) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. First Reading approved on January 17, 2013. Vote 6-0, Mayor Leffingwell was absent. Owner: PDQ Austin Overlook, Inc. (T. Mark Knutsen). Applicant: Vaughn & Associates (Rick Vaughn). City Staff: Lee Heckman, 974-7604.
67. C14-2012-0151 – Lot 7, 81 William Cannon Joint Venture Subdivision – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2112 East William Cannon Drive (Williamson Creek Watershed) from neighborhood commercial (LR) district zoning to multi-family residence-medium density (MF-3) district zoning. First Reading approved on January 31, 2013. Vote: 7-0. Owner/Applicant: East William Cannon 2007, LTD (William Hale). Agent: CSF Civil Group, LLC (Charles E. Steinman). City Staff: Wendy Rhoades, 974-7719.

### **Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

68. C14-2012-0083 - Cirrus Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 West 6th Street, and 602-702 West Avenue (Shoal Creek Watershed) from downtown mixed use-conditional overlay-central urban redevelopment district (DMU-CO-CURE) combining district zoning for Tract 1, and limited office (LO) district zoning and general office (GO) district zoning for Tract 2 to downtown mixed use-central urban redevelopment district (DMU-CURE) combining district zoning for Tract 1 and downtown mixed use (DMU) district zoning for Tract 2. Staff Recommendation: To grant downtown mixed use-central urban redevelopment district (DMU-CURE) combining district zoning for Tract 1 and downtown mixed use (DMU) district zoning for Tract 2. Planning Commission Recommendation: To be reviewed on February 12, 2013. Applicant: Cirrus Logic, Inc. (Thurman Case). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Clark Patterson, 974-7691.
69. C14-2012-0123 - The Paloma - Conduct a public hearing and approve an

ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1123 East 11th Street (Town Lake Watershed) from commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning to commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant commercial-liquor sales-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district zoning, with conditions. Owner/Applicant: 1123 Partners (Mark Vornberg). City Staff: Heather Chaffin, 974-2122.

70. C14-2012-0130 - 4th & Guadalupe Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 401 Guadalupe Street, 304 West 4th Street and 400 Lavaca Street (Town Lake Watershed) from central business district (CBD) district zoning to central business district-central urban redevelopment district (CBD-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment district (CBD-CURE) combining district zoning. Planning Commission Recommendation: To approve central business district -central urban redevelopment district (CBD-CURE) combining district zoning. Applicant: LG Guadalupe, L.P. (Ben Pisklak) & Austin Trust Company (Ann Graham & Susan Harris). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Clark Patterson, 974-7691.
71. C14-2012-0135 – 7502 Lazy Creek Drive – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 7502 Lazy Creek Drive (Walnut Creek Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner: Quincy Jones. Agent: GMS Development, LLC (Marzia Volpe). City Staff: Heather Chaffin, 974-2122.
72. C14-2012-0136 – 7507 Lazy Creek Drive – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7507 Lazy Creek Drive (Walnut Creek Watershed) from interim-single family residence(I-SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Agent: GMS Development, LLC (Marzia Volpe). City Staff: Heather Chaffin, 974-2122.

73. C14-2012-0137 – 7512 Lazy Creek Drive – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 7512 Lazy Creek Drive (Walnut Creek Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Agent: GMS Development, LLC (Marzia Volpe). City Staff: Heather Chaffin, 974-2122.
74. C14-2012-0138 – 7516 Lazy Creek Drive – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 7516 Lazy Creek Drive (Walnut Creek Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Agent: GMS Development, LLC (Marzia Volpe). City Staff: Heather Chaffin, 974-2122.
75. C14-2012-0148 – 14028 N. U.S. 183 Rezoning – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 14028 North U.S. Highway 183 (Buttercup Creek Watershed, Lake Creek Watershed) from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales (CS-1-CO) district zoning. Owner/Applicant: Dan Wheat. Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.
76. C14-2012-0149 – 8200 North Mopac Rezoning – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8200 North Mopac Expressway Southbound (Shoal Creek Watershed) from limited office (LO) district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To grant neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial (LR) district zoning. Owner/Applicant: Lapeer Properties, Inc. (Luke Wood). Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.
77. C14-2012-0150 – Vijayrama & Surekha Poreddy – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10102 Chester Lane (Bull Creek Watershed) from rural residence (RR) district zoning to single family residence-large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence-large lot (SF-1) district zoning. Zoning and Platting

Commission Recommendation: To grant single family residence-large lot (SF-1) district zoning. Owner/Applicant: Tusar K. Nanda. Agent: Tusar K. Nanda. City Staff: Sherri Sirwaitis, 974-3057.

78. C14-2012-0153 – Spicewood Springs Office Rezoning – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4714 Spicewood Springs Road (Bull Creek Watershed) from family residence (SF-3) district zoning to general office (GO) district zoning. Staff Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Owner/Applicant: Norman Edward John Brueckl. Agent: Tierra Concepts (Scott Taylor). City Staff: Sherri Sirwaitis, 974-3057.
79. C14-2012-0154 – Lakeline Market – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 14016 North U.S. Highway 183 Service Road (Lake Creek Watershed) from commercial highway (CH) district zoning to community commercial services (GR) district zoning. Staff Recommendation: To grant community commercial services (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning. Owner/Applicant: Lakeline Market, Ltd. (Milo Burdette). Agent: Bury & Partners, Inc. (Melissa Neslund). City Staff: Sherri Sirwaitis, 974-3057.
80. C14-2012-0156 – Austin 7 – Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 1434 West Wells Branch Parkway (Harris Branch Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) 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. Owner/Applicant: HEB Grocery Company, L.P. (Todd Piland). Agent: Bury & Partners, Inc. (Melissa Neslund). City Staff: Sherri Sirwaitis, 974-3057.

### **Public Hearings and Possible Actions**

81. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 (Zoning) to create the Central Austin - University Area Zoning Overlay District in which a group residential land use is a conditional use in the multi-family residence moderate-high density (MF-4) base zoning district.
82. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 to encourage the relocation of historically significant buildings in the Rainey Street subdistrict of the Waterfront Overlay Combining District

to appropriate locations outside of the subdistrict in lieu of demolition.

83. Conduct a public hearing and consider an ordinance adopting the seventh plan modification to the East 11th and 12th Streets Urban Renewal Plan.

## **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.