



**Thursday, May 14, 2015**

The Austin City Council will convene at 10:00 AM on  
Thursday, May 14, 2015 at Austin City Hall  
301 W. Second Street, Austin, TX



**Mayor Steve Adler**  
**Mayor Pro Tem Kathie Tovo, District 9**  
**Council Member Ora Houston, District 1**  
**Council Member Delia Garza, District 2**  
**Council Member Sabino “Pio” Renteria, District 3**  
**Council Member Gregorio Casar, District 4**  
**Council Member Ann Kitchen, District 5**  
**Council Member Don Zimmerman, District 6**  
**Council Member Leslie Pool, District 7**  
**Council Member Ellen Troxclair, District 8**  
**Council Member Sheri Gallo, District 10**

For meeting information, contact the City Clerk, (512) 974-2210

*The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) 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.**

**9:55 AM – Invocation - Sheikh Mohamed-Umer Ismail, Islamic Center of Greater Austin**

**Point of Personal Privilege**

Special Presentation to World War II Veteran Richard Overton.

**10:00 AM – City Council Convenes**

**Consent**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council special called meeting of April 27, 2015, work session of May 5, 2015, budget work session of May 6, 2015 and regular meeting of May 7, 2015.

**Planning and Zoning**

2. Approve second and third readings of an ordinance adopting and authorizing execution of an Impervious Cover Transfer Agreement associated with a 5.92 acre property located at 6308 Spicewood Springs Road known as Ace Salvage Yard and Ace Discount Glass (District 10).

**Item(s) from Council**

3. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members.
4. Approve a resolution directing the City Manager to initiate a process to cultivate native milkweed into the City's landscape portfolio at Austin City Hall, City-owned buildings, properties, preserve lands, parks, and open spaces. ( Notes: SPONSOR: Council Member Leslie Pool CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ann Kitchen CO 3: Council Member Gregorio Casar )

**Non-Consent**

**Item(s) Referred from Committee(s)**

Audit and Finance Committee

5. Approve a resolution appointing two individuals to the Municipal Civil Service Commission, each for a term of three years, and designating a chair for the Municipal Civil Service Commission.

Health and Human Services Committee

6. Approve a resolution adopting a policy to provide City employees and their families access to Applied Behavioral Analysis benefits and directing the City Manager to incorporate Applied Behavioral Analysis benefits as part of the City employee benefits package in the Fiscal Year 2015-2016 proposed budget. ( Notes: SPONSOR: Council Member Delia Garza CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ann Kitchen CO 3: Council Member Sabino "Pio" Renteria )

**10:00 AM - Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

7. NPA-2014-0017.01 – Korean United Presbyterian Church – District 7 – Approve second and third readings of an ordinance amending the Crestview/Wooten Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2000 Justin Lane and 2009 Cullen Avenue (Shoal Creek Watershed) from Civic and Multifamily land use to Mixed Use/Office land use. First Reading approved on October 16, 2014. Vote: 4-2, Council Members Martinez and Tovo voted nay; Council Member Morrison was off the dais. Owner/Applicant: Korean United Presbyterian Church (Roy M. Kim). Agent: Thrower Design (A. Ron Thrower). Staff: Maureen Meredith, 512-974-2695.
8. C14-2014-0036 – Korean United Presbyterian Church Rezoning – District 7 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2000 Justin Lane and 2009 Cullen Avenue (Shoal Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning, limited office-neighborhood plan (LO-NP) combining district zoning, and multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. First Reading approved on October 16, 2014. Vote: 4-2, Council Members Martinez and Tovo voted nay; Council Member Morrison was off the dais. Owner/Applicant: Korean United Presbyterian Church (Roy M. Kim). Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 512-974-3207. A valid petition has been filed in opposition to this rezoning request.
9. C14-2014-0165 – 2712 & 2800 Del Curto Rezoning – District 5 – Approve second and third readings of an ordinance amending City Code Chapter 25-2

by rezoning property locally known as 2712 and 2800 Del Curto 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. First Reading approved on March 5, 2015. Vote: 9-0, Council Members Kitchen and Zimmerman were off the dais. Owner/Applicant: Jett Abram, LLC (Sarah Lahmers). Agent: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122.

10. C14-2015-0007 – Alice Mae Rezoning – District 5 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 9500 Alice Mae Lane (Slaughter Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First Reading approved on March 26, 2015. Vote: 11-0. Owner/Applicant: SP Meadows West, Ltd. (David Roche). Agent: Armbrust & Brown, LLC (Richard T. Suttle, Jr.). City Staff: Wendy Rhoades, 512-974-7719.

#### **10:00 AM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

11. NPA-2014-0009.01 - Waller on Swede Hill - District 1 - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-41, the Central East Austin Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 908 East 15th Street, 807 East 16th Street, 1506 Waller Street (Waller Creek Watershed) from Multifamily and Single Family land use to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To deny Mixed Use land use. Owner/Applicant: WJP Swede Hill, L.L.C. (Wes Peoples). Agent: Kenneth T. Blaker. City Staff: Maureen Meredith, 512-974-2695.
12. C14-2015-0006 - Waller on Swede Hill - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 908 East 15th Street, 807 East 16th Street, and 1506 Waller Street (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning and limited office-mixed use-historic landmark-neighborhood plan (LO-MU-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning and family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Owner/Applicant: WJP Swede Hill, LLC (Wes Peoples). Agent: Morzie DCI (Kenneth Blaker). City Staff: Heather Chaffin,

512-974-2122.

13. C14-2014-0136 - Cameron Apartments - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 9201 Cameron Road (Little Walnut Creek Watershed) from limited industrial services (LI) district zoning to general commercial services-mixed use (CS-MU) combining district zoning, as amended. Staff Recommendation: To deny general commercial services-mixed use (CS-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner: FSI Cameron Crossing, LP (Philip Capron). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122.
14. C14-2014-0150 - Whiddon .85 - District 5 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4102 Manchaca Road (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to limited office-mixed use (LO-MU) combining district zoning, as amended. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Planning Commission Recommendation: To deny neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Owner/Applicant: Mitchell Whiddon. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Jerry Rusthoven, 512-974-3207.
15. C14-2014-0172 – Cottages of Lantana – District 8 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5610 and 5804 Wier Hills Road (Williamson Creek Watershed-Barton Springs Zone) from limited office-neighborhood plan (LO-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on May 12, 2015. Owner/Applicant: EuroAmerican Holdings, Ltd. (Jean Pelissero); Janet Wier Rourke; Linda Kay Wier. Agent: Smith, Robertson, Elliott & Douglas, L.L.P. (Mary Stratmann). City Staff: Wendy Rhoades, 512-974-7719.
16. C14-85-288.36(RCA) – Cottages of Lantana – District 8 – Conduct a public hearing to amend a restrictive covenant on property locally known as 5804 Wier Hills Road (Williamson Creek Watershed-Barton Springs Zone). Staff Recommendation: To grant the restrictive covenant amendment. Planning Commission Recommendation: To be reviewed on May 12, 2015. Owner/Applicant: EuroAmerican Holdings, Ltd. (Jean Pelissero). Agent: Smith, Robertson, Elliott & Douglas, L.L.P. (Mary Stratmann). City Staff: Wendy Rhoades, 512-974-7719.

17. C14-2014-0181 – Moore’s Crossing 3.8 Acre Rezone – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as the north side of Elroy Road between Ross Road and Heine Farm Road (Dry Creek East Watershed) from multi-family residence-low density (MF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Planning Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner/Applicant: SR Development, Inc. (Bill Gurasich). Agent: Carlson, Brigance & Doering, Inc. (Geoff Guerrero). City Staff: Wendy Rhoades, 512-974-7719.
18. C14-2015-0005 – 8060 West U.S. 290 Highway – District 8 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 8060 West U.S. 290 Highway (Williamson Creek Watershed-Barton Springs Zone) from limited office-neighborhood plan (LO-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Owner/Applicant: George Wilhelm Rodenbusch; Cora Shuler Rodenbusch. City Staff: Wendy Rhoades, 512-974-7719.
19. C14-2015-0016 – Thaxton Road – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 7864 Thaxton Road and 6218 Bumpstead Drive (Onion Creek Watershed) from interim-rural residence (I-RR) 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 single family residence-standard lot (SF-2) district zoning. Owner/Applicant: Laurie Crisp. Agent: Eric Crisp. City Staff: Wendy Rhoades, 512-974-7719.
20. C14-2015-0031.SH – Azul 620 – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11411 North FM 620 Road (Bull Creek Watershed) from development reserve (DR) district zoning to multi-family residence-limited density (MF-1) district zoning. Staff Recommendation: To grant multi-family residence-limited density (MF-1) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on July 7, 2015. Owner: Judy and Fred Helms; Kathy and Donald Gross. Applicant/Agent: DMA Development Company, LLC (Janine Sisak). City Staff: Sherri Sirwaitis, 512-974-3057.

21. C14-2015-0032 – Design Ecology Office – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 3714 Manchaca Road (West Bouldin Creek Watershed) from multi-family residence-moderate-high density (MF-4) zoning district to limited office-mixed use (LO-MU) combining district zoning. Staff Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Planning Commission Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Owner/Applicant: 3802 Manchaca LLC (Kristopher Cummings). City Staff: Tori Haase, 512-974-7691.
22. C14-2015-0033 – Park at Wellspoint – District 7 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 1300 West Wells Branch Parkway (Harris Branch Watershed) from interim-rural residence (I-RR) district zoning to townhouse & condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner: River City Partners, Ltd. (GW Broesche). Applicant/Agent: LJA Engineering, Inc. (Michael Chapa, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.
23. C14-2015-0035 – 10810 Spicewood Parkway Rezoning Request – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 10810 Spicewood Parkway (Bull Creek Watershed) from single family residence-large lot (SF-1) district zoning to single family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single family residence-standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence-standard lot (SF-2) district zoning. Owner/Applicant: Michael W. Wilson. City Staff: Sherri Sirwaitis, 512-974-3057.
24. C14-2015-0036 – Secured Climate Storage – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 9311 North FM 620 Road (Bull Creek Watershed) from interim-rural residence (I-RR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Owner: CSP Asset 1, LLC (James R. Carpenter). Applicant/Agent: Mathias Company (Richard Mathias). City Staff: Sherri Sirwaitis, 512-974-3057.
25. C14-2015-0037 – Coelho Living Trust – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 5833 River Place Boulevard (Panther Hollow Watershed; West Bull Creek Watershed) from interim-rural residence

(I-RR) zoning district to single family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single family residence-standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence-standard lot (SF-2) district zoning. Owner/Applicant: Coelho Living Trust (Michael A. and Ashley D. Coelho). Agent: Moncada Consulting (Phil Moncada). City Staff: Tori Haase, 512-974-7691.

26. C14H-2014-0015 – R.W. and Ida Mae Gissell House – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 513 East Annie Street (Blunn Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence- historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant family residence- historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Brent Hunter, owner. City Staff: Steve Sadowsky, 512-974-6454.

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

Volma Overton III - I have an inexpensive idea for traffic relief that has proven successful in another major US city and would like to share that idea with the council.

Tommy Eden - Thanks to City Council and to city staff for bicycle and pedestrian safety improvements on S. Lamar Blvd

Bill Oakey - Discuss affordability proposals

Latreese Cook - M.E.E.E.L.J. justice center and resources for felons

Amy Hilbrook - Child Protective Services

CAROLANNROSEKENNEDY - THE GRAD YOU ATE

Eric Bell - Commuting activism: the need for more youth after school programs

Paul Robbins - City and Budget issues

Carlos León - 1) God, Jesus Christ, and the Holy Spirit are the highest and mightiest.

2) Zero chemtrails for zero Austin air pollution.

3) Losing your marbles-Part IX



## **Executive Session**

27. Discuss legal issues associated with City Council Resolution No. 20140612-065 that directs the City Manager to file a challenge petition with the Travis County Appraisal Review Board relating to commercial property values in the City set by the Travis Central Appraisal District (Private consultation with legal counsel—Section 551.071).
28. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).


## **2:00 PM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**


29. C14-2015-0020 – Monarch Suzuki Academy – District 8 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6000 Mountain Shadows Drive (Williamson Creek Watershed-Barton Springs Zone) from limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Owner/Applicant: David and Shana Guidi. Agent: Permit Partners, LLC. (David Cancialosi). City Staff: Tori Haase, 512-974-7691.

## **2:00 PM - Public Hearings and Possible Actions**

30. Conduct a public hearing and consider an appeal by Daniel Llanes, regarding the Planning Commission's approval of a variance from City Code Section 25-2-721(B)(1), which prohibits the construction of a building or parking area within the primary setback of the Waterfront Overlay in the Red Bluff Subdistrict (District 3).
31. Conduct a public hearing and consider an appeal of a decision of the Building & Fire Code Board of Appeals to uphold the issuance of a building permit relating to property located at 3100 Highland Terrace West (District 10).

## **Adjourn**

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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 (512) 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 (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.