

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, OCTOBER 8, 2015**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, October 8, 2015 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:15 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

Items 1 through 6 were pulled for discussion.

7. Approve appointments and certain related waivers to citizen boards and commissions and other citizen bodies, to Council committees and other intergovernmental bodies and removal and replacement of members.

The following appointments and waivers were approved on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Pool was absent.

Nominations**Board/Nominee**

**Commission on Immigrant Affairs
Piper Nelson**

**Mexican American Cultural Center Advisory Board
Aida Cerda-Prazak**

**Parkland Events Task Force
Stacy Farrugia**

**Flood Mitigation Task Force
Marvin Chaney**

Nominated by

Mayor Pro Tem Tovo

Council Member Casar

Council Member Zimmerman

Council Member Houston

Waivers

Approve a waiver of the residency requirement in Resolution No. 20150604-044 for the service of Marvin Chaney on the Flood Mitigation Task Force.

8. Approve an amendment to Resolution 20150604-044, that created the Flood Mitigation Task Force, to establish a quorum and decision requirement for the task force. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Delia Garza CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo)

Resolution No. 20151008-008 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Pool was absent.

9. Approve the waiver or reimbursement of certain fees and waiver of certain requirements under City Code Chapter 14-8 for the Pecan Street Festival which took place on September 26 and September 27, 2015. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Council Member Ann Kitchen CO 2: Mayor Steve Adler CO 3: Mayor Pro Tem Kathie Tovo CO 4: Council Member Delia Garza)

The motion to approve the waiver of certain fees and waiver of certain requirements for the Pecan Street Festival was approved on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Pool was absent.

10. Set a public hearing to consider an ordinance amending City Code Titles 15 and 25 and Austin Resource Recovery administrative rules regarding recycling and reuse of materials generated by building and demolition projects. (Suggested date and time: November 19, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

The public hearing was set on consent for November 19, 2015, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Pool was absent.

DISCUSSION ITEMS

1. Approve the minutes of the Austin City Council Work Session of September 29, 2015 and Austin City Council regular meeting of October 1, 2015.

The minutes from the City Council work session of September 29, 2015 and the regular Council meeting of October 1, 2015 were approved on Mayor Pro Tem Tovo's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Pool was absent.

2. Approve negotiation of an interlocal agreement with Travis County for the creation of a sobriety center that incorporates the terms recommended by the Austin-Travis County Intergovernmental Working Group.

The motion authorizing the negotiation of an interlocal agreement with Travis County was approved as amended on Mayor Pro Tem Tovo's motion, Council Member Renteria's second on a 10-0 vote. Council Member Pool was absent.

The amendment was to include a new item to read: "Item H. Consideration and evacuation of whether evaluation is appropriate and the length of any agreement should consider the

planned redevelopment of the Brackenridge site and the innovation zone”. The amendment was approved without objection.

3. Discussion and possible action regarding the November 3, 2015 work session and November 5, 2015 Council meeting.

The motion to cancel the work session of November 3, 2015 and the regular Council meeting of November 5, 2015 was approved on Council Member Zimmerman’s motion, Council Member Renteria’s second on a 10-0 vote. Council Member Pool was absent.

4. CD-2015-0009 - Approve the baseline site development standards for determining development bonuses and the trigger for affordable housing in The Grove at Shoal Creek Planned Unit Development.

This item was postponed indefinitely on Council Member Zimmerman’s motion, Council Member Renteria’s second on a vote of 10-0. Council Member Pool was absent.

5. Authorize negotiation and execution of an interlocal agreement with Travis County for the City to administer the 2015 Justice Assistance Grant Program on behalf of the City and Travis County Sheriff’s Office.

A motion to strike the word execution from the agreement was made by Council Member Zimmerman. The motion failed for lack of a second.

The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved on Council Member Houston’s motion, Council Member Garza’s second on a vote of 10-0. Council Member Pool was absent.

6. Authorize negotiation and execution of an interlocal agreement with Travis County related to operation of a central booking facility and related services in the amount of \$6,579,921 for Fiscal Year 2015-2016.

The motion to refer to the Public Safety Committee failed on Council Member Zimmerman’s motion, seconded by Council Member Troxclair on a 2-8 vote. Those voting aye were: Council Members Zimmerman and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Houston, Garza, Renteria, Casar, Kitchen and Gallo. Council Member Pool was absent.

The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved as amended on Council Member Casar’s motion, Council Member Garza’s second on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained. Council Member Pool was absent.

The amendment was to include a new Whereas clause to read: “WHEREAS, the City and County value our immigrant communities and wish to operate the Central Booking Facility in a manner that reflects our values;”. The amendment was approved without objection.

ITEMS REFERRED FROM COUNCIL COMMITTEES

11. Approve an ordinance amending City Code Chapter 10-3 related to food handlers.

Ordinance 20151008-011 was approved as amended on Council Member Houston's motion, Council Member Zimmerman's second on a 10-1 vote.

The motion was to amend Part 3 (B) (4) to read "temporary food establishment". The motion was approved on Council Member Houston's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Pool was absent.

12. Approve a recommendation regarding short-term rentals.
This item was postponed to October 15, 2015 on Mayor Pro Tem Tovo's motion, Council Member Zimmerman's second on a vote of 10-0. Council Member Pool was absent.

ZONING AND PUBLIC HEARINGS

The following zoning items were acted on by one motion. No separate action occurred on any of the items:

13. C14-2014-0153 – The Enclave at Oak Parke – District 8 – Approve third reading of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 10301-10317 Salmon Drive (Slaughter Creek Watershed-Barton Springs Zone) from interim-rural residence (I-RR) district zoning and interim-single family residence-standard lot (I-SF-2) district zoning to single family residence-standard lot (SF-2) district zoning. First Reading approved on November 20, 2014. Vote: 7-0. Second Reading approved on February 12, 2015. Vote: 11-0. Owner/Applicant: Mark Alan Cunningham. City Staff: Wendy Rhoades, 512-974-7719.
This item was postponed to November 12, 2015 at staff's request on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.
14. C14-2015-0078 – 1411 W 5th Street and 403 Paul Street Rezoning – District 9 – Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1411 W 5th Street and 403 Paul Street (Lady Bird Lake Watershed) from limited industrial-conditional overlay-neighborhood plan (LI-CO-NP) combined district zoning to limited industrial-planned development agreement-neighborhood plan (LI-PDA-NP) combining district zoning. First Reading approved on September 10, 2015. Vote: 11-0. Owner/Applicant: Matthews-Barnes Brothers Investments, LP (Duke, Danay, Rox Covert). Agent: Armbrust & Brown, LLP (Richard Suttle). City Staff: Victoria Haase, 512-974-7691.
Ordinance No. 20151008-014 for limited industrial-planned development agreement-neighborhood plan (LI-PDA-NP) combining district zoning was approved on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.
15. C14-2015-0080 – 11200 N. Ranch Road 620 – District 6 - Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11200 North FM 620 Road (Lake Travis and Bull Creek Watersheds) from development reserve (DR) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. First Reading approved on September

17, 2015. Vote: 11-0. Owner: Robinson Investments (Blake Robinson). Applicant/Agent: Lenworth Consulting, LLC (Nash Gonzales). City Staff: Sherri Sirwaitis, 512-974-3057.

Ordinance No. 20151008-015 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

17. C14H-2010-0006 – Castle Hill Historic District – District 9 – Approve second and third readings of an ordinance amending Ordinance 2010930-038 establishing the Castle Hill Historic District to modify the Castle Hill Historic District Design Standards for property locally known as 614 Blanco Street. First Reading approved on September 10, 2015, Vote: 11-0. Applicant: City of Austin Planning and Zoning Department. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department: 512-974-6454.

Ordinance No. 20151008-017 was approved on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council member Pool was absent.

18. NPA-2015-0005.02 – 7200 East Ben White Blvd. – District 3 – Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis 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 7200 East Ben White Boulevard (Carson Creek Watershed) from Mixed Use land use and Industry land use to Higher Density Single Family land use. Staff Recommendation: To grant Mixed Use land use and Higher Density Single Family land use. Planning Commission Recommendation: To be reviewed on October 13, 2015. Owner/Applicant: KWH Properties. Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, 512-974-2695.

This item was postponed to November 12, 2015 at staff's request on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

19. C14-2015-0073 – 7200 East Ben White Blvd – District 3 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 7200 East Ben White Boulevard (Carson Creek Watershed) from limited industrial services-neighborhood plan (LI-NP) combining district zoning for Tract 1 and community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning for Tract 2 to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 1 and townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning for Tract 2. Planning Commission Recommendation: To be reviewed on October 13, 2015. Owner/Applicant: KWH Properties. Agent: Thrower Design (Ron Thrower). City Staff: Andrew Moore, 512-974-7604.

This item was postponed to November 12, 2015 at staff's request on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

20. NPA-2015-0016.01 - Shady Lane Mixed Use - District 3 - Conduct a public hearing and approve an

ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace 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 500 Shady Lane (Colorado River Watershed) from industry land use to mixed use land use. Staff Recommendation: To grant mixed use land use. Planning Commission Recommendation: To grant mixed use land use. Owner/Applicant: 600 Shady Lane, Ltd. (Jimmy Nassour). Agent: Alice Glasco Consultant (Alice Glasco) City Staff: Maureen Meredith, 512-974-2695.

This item was postponed to November 12, 2015 at staff's request on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

21. C14-2015-0043 - Shady Lane Mixed Use - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 500 Shady Lane (Colorado River Watershed) from limited industrial services-condition overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To deny general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner: 600 Shady Lane LTD (Jimmy Nassour). Agent: Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.

This item was postponed to November 12, 2015 at staff's request on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

22. NPA-2015-0027.01 - Parandian Rezoning - District 10 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20100923-102, the Central West Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map on property locally known as 1506 West 34th Street (Shoal Creek Watershed) from single family land use to neighborhood mixed use land use. Staff Recommendation: To approve mixed use/office land use. Planning Commission Recommendation: Withdrawn by Applicant. Owner/Applicant: Farshid and Jennifer Parandian. Agent: Jennifer Parandian. City Staff: Maureen Meredith, 512-974-2695.

This item was withdrawn on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

23. C14-2015-0023 - Parandian Rezoning - District 10 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1506 W 34th Street (Shoal Creek Watershed) from single family residence district-neighborhood plan (SF-3-NP) combining district zoning to limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: Withdrawn by Applicant. Owner/Applicant: Jennifer and Farshid Parandian. Agent: Jennifer Parandian. City Staff: Victoria Haase, 512-974-7691.

This item was withdrawn on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

24. C14-2014-0198 – One Two East – District 1 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1109, 1105, and 1107 N. IH 35 Service Road, Northbound (Waller Creek Watershed) from general commercial services-neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district to general commercial services-neighborhood conservation combining district-neighborhood plan (CS-NCCD-NP) combining district, to change a condition of zoning for Tract 1, and from general commercial services-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district to general commercial services-neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district, to change a condition of zoning for Tract 2. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed October 13, 2015. Owner: JH West 12th Street Partners, Ltd. (Haythem Dawlett). Agent: Drenner Group (Stephen Rye). City Staff: Heather Chaffin, 512-974-2122.

This item was postponed to November 12, 2015 at staff's request on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

26. C14-2015-0003A - South IH-35 Mixed Use Apartment Community - District 2 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 6900 and 6940 South IH 35 Service Road Southbound; 504, 600, 606 and 700 Chaparral Road (Williamson Creek Watershed; South Boggy Creek Watershed) from general commercial services (CS) district zoning, community commercial-conditional overlay (GR-CO) combining district zoning, neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning and single family residence-standard lot (SF-2) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1, and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning for Tract 3 and single family residence-standard lot (SF-2) district zoning for Tract 4. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 3, and multifamily residence-limited density-conditional overlay (MF-1-CO) combining district zoning for Tract 4. Owner/Applicant: Long Real Estate Holdings, LLC (Paul Long). Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20151008-026 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1, community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2, limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 3, and multifamily residence-limited density-

conditional overlay (MF-1-CO) combining district zoning for Tract 4 was approved on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

27. C14-2015-0003B - South IH-35 Mixed Use Apartment Community - District 2 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 701 and 709 Chaparral Road (South Boggy Creek Watershed) from general commercial services (CS) district zoning, family residence (SF-3) district zoning and single family residence-standard lot (SF-2) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 1 and neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2. Owner/Applicant: Long Real Estate Holdings, LLC (Paul Long). Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20151008-027 for general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 2 was approved on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

29. C14-2015-0085 – Northland II Property LLC – District 7 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2123 Northland Drive (Shoal Creek Watershed) from family residence (SF-3) district zoning to limited office (LO) district zoning. Staff Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Planning Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Owner/Applicant: Northland II Property LLC (Bruce J. Spitzengel). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Victoria Haase, 512-974-7691.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20151008-029 for limited office-conditional overlay (LO-CO) combining district zoning was approved on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

30. C14-2015-0105 – 1213 W. Slaughter Ln – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1213 West Slaughter Lane (Slaughter Creek Watershed) 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 grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: CWS Iron Rock, L.P.

(Mary Ellen Barlow). Agent: North Forest Office Space-South Austin LLC (Jon Denton). City Staff: Wendy Rhoades, 512-974-7719.

This item was postponed to November 12, 2015 at staff's request on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

31. C14-2015-0106 – 1217 W. Slaughter Ln – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1217 West Slaughter Lane (Slaughter Creek Watershed) 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 grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: CWS Iron Rock, L.P. (Mary Ellen Barlow). Agent: North Forest Office Space-South Austin LLC (Jon Denton). City Staff: Wendy Rhoades, 512-974-7719.

This item was postponed to November 12, 2015 at staff's request on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

32. C14-2015-0110 – Dakota Plaza – District 6 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as 8516 Anderson Mill Road (Lake Creek 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: Dakota Plaza Baseline, LLC (Johnathan Ruby). Agent: McLean & Howard, LLP (Jeffrey Howard). City Staff: Sherri Sirwaitis, 512-974-3057.

This item was postponed to November 12, 2015 at staff's request on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

33. C14-86-103(RCT) - Greater Mt. Zion Baptist Church - District 1 - Conduct a public hearing and approve a restrictive covenant termination on property locally known as 1801 Pennsylvania Avenue (Boggy Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To deny the restrictive covenant termination. Owner/Applicant: Greater Mt. Zion Baptist Church (David Mims Jr.). Agent: Henry H. Gilmore. City Staff: Heather Chaffin, 512-974-2122.

This item was postponed to November 12, 2015 at staff's request on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

35. C14H-2015-0007 - Clyde and Henrietta Littlefield House - District 9 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 903 Shoal Cliff Court from multifamily residence-moderate-high density-conditional overlay-neighborhood

plan (MF-4-CO-NP) combining district zoning to multifamily residence-moderate-high density-historic landmark-conditional overlay-neighborhood plan (MF-4-H-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-historic landmark-conditional overlay-neighborhood plan (MF-4-H-CO-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant multifamily residence-moderate-high density-historic landmark-conditional overlay-neighborhood plan (MF-4-H-CO-NP) combining district zoning. Planning Commission Recommendation: To forward to Council without a recommendation. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

This item was postponed to November 12, 2015 at staff's request on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

36. C14H-2015-0010 - Yerwood-Simond House - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2005 Hamilton Avenue 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: Alyson McGee, for owners Harold B. Groendyke and Catherine Lucchesi. City Staff: Steve Sadowsky, Historic Preservation Office, 512-974-6454.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20151008-036 for family-residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning was approved on Council Member Zimmerman's motion, Council Member Gallo's second on a 10-0 vote. Council Member Pool was absent.

DISCUSSION ITEMS CONTINUED

16. C14H-2014-0014 – Bluebonnet Hills Historic District – District 9 – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning properties bounded by Annie Street on the north, East Side Drive on the east, Leland Street on the south, and Brackenridge Street on the west, and incorporating the south side of the 500 block of E. Annie Street, the 500 block of E. Mary Street, portions of the 400 block of Lockhart Drive, the 500 block of Lockhart Drive, the 300, 400, and 500 blocks of Terrace Drive, the north side of the 300, 400, and 500 blocks of Leland Street, the west side of the 1800, 1900, and 2000 blocks of East Side Drive, the 1900 and 2000 blocks of Newning Avenue, and the portions of the east side of the 1900 and 2000 blocks of Brackenridge Street (Blunn Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning and family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning to family residence-historic area-neighborhood plan (SF-3-HD-NP) and family residence-historic landmark-historic area-neighborhood plan (SF-3-H-HD-NP) combining district zoning. First Reading approved on June 11, 2015. 7-3. Council Member Renteria, Troxclair and Zimmerman voting nay and Council Member Gallo was off the dais. Applicant: Michele Webre, Bluebonnet Hills Historic District Nomination. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

This item was postponed to October 15, 2015 at the applicant's request on Council Member Zimmerman's motion, Council Member Casar's second on a 10-0 vote. Council Member Pool was absent.

25. C14-2015-0001 – Marlo Heights Rezoning – District 1 – Conduct a public hearing and approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4905, 5001, and 5003 Pecan Springs Road (Fort Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 1, and townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning for Tract 2. First Reading approved on September 10, 2015, Vote: 11-0. Owner: Luke Ellis. Agent: Garrett-Ihnen Civil Engineers (Steve Ihnen). City Staff: Heather Chaffin, 512-974-2122.

This item was postponed to October 15, 2015 on Council Member Houston's motion, Council Member Zimmerman's second on a 7-0 vote. Mayor Pro Tem Tovo and Council Members Casar and Troxclair were off the dais. Council Member Pool was absent.

28. C14-2015-0081 - Rezone 2513 - District 1 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2513 East 10th Street (Boggy Creek Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Staff Recommendation: To grant neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning. Owner: Guido and Lito Porto. Agent: Guido Porto. City Staff: Heather Chaffin, 512-974-2122.

The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20151008-028 for neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning was approved on Council Member Houston's motion, Council Member Zimmerman's second on an 8-0 vote. Mayor Pro Tem Tovo and Council Member Casar were off the dais. Council Member Pool was absent.

CITIZENS COMMUNICATION: GENERAL

John Goldstone - Budget, Homestead exemption, and the new court house.

Del Goss - Austin Animal Center policies that are animal cruelty. - **Not present when name was called.**

Akwasi Evans - The lack of reciprocity for African American entrepreneurs. -**Not present when name was called.**

Mayor Adler recessed the meeting at 12:01 p.m. without objection.

Mayor Adler called the meeting back to order at 1:45 p.m.

DISCUSSION ITEMS CONTINUED

34. C814-2012-0152 – Pilot Knob Planned Unit Development – District 2 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by zoning property locally known as east and southeast of the intersection of William Cannon Drive and McKinney Falls Parkway, and west of South U.S. Highway 183 and FM 1625 (Cottonmouth Creek Watershed; North Fork Creek Watershed; South Fork Creek Watershed) from interim-rural residence (I-RR) district zoning and interim-single family residence-standard lot (I-SF-4A) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning. Planning Commission Recommendation: To grant planned unit development (PUD) district zoning. Owner/Applicant: Carma Easton, Inc. (Logan Kimble). Agent: Armbrust & Brown, L.L.P. (Lynn Ann Carley). City Staff: Wendy Rhoades, 512-974-7719.

The public hearing was conducted and the motion to close the public hearing and approve the first reading of the ordinance for planned unit development (PUD) district zoning was amended as follows on Council Member Zimmerman's motion, Council Member Renteria's second on a 10-0 vote. Council Member Pool was absent.

The amendment was to remove the "affordable housing commitment". The amendment was approved on Council Member Kitchen's motion, Council Member Garza's second on a 10-0 vote. Council Member Pool was absent.

EXECUTIVE SESSION

37. Discuss legal issues related to open government matters (private consultation with legal counsel - Section 551.071 of the Government Code).

This item was withdrawn without objection.

Mayor Adler recessed the meeting at 2:45 p.m. without objection.

Mayor Adler called the meeting back to order at 4:13 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTION

38. 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).

This item was postponed to November 12, 2015 on Council Member Houston's motion, Council Member Zimmerman's second on a 9-0 vote. Council Member Renteria was off the dais. Council Member Pool was absent.

39. Conduct a public hearing and consider a resolution for an application to the Texas Department of Housing and Community Affairs by Austin Colorado Creek Apartments, LP, or an affiliated entity, for a proposed affordable multi-family development to be called the Austin Colorado Creek Apartments, located within

the northwest quadrant of the intersection of U.S. Highway 71 and State Highway 130 (Council District 2).

The public hearing was conducted and the motion to close the public hearing and approve Resolution 20151008-039 was approved on Council Member Renteria's motion, Council Member Casar's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Pool was absent.

Mayor Adler adjourned the meeting at 4:28 p.m. without objection.

The minutes were approved on this the 15th day of October 2015 on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.