



City of Austin

Agenda

Questions and Answers Report

Mayor Steve Adler
Mayor Pro Tem Kathie Tovo, District 9
Council Member Ora Houston, District 1
Council Member Delia Garz, District 2
Council Member Sabino "Pio" Renteria, District 3
Council Member Gregorio Casar, District 4
Council Member Ann Kitchen, District 5
Council Member Jimmy Flannigan, District 6
Council Member Leslie Pool, District 7
Council Member Ellen Troxclair, District 8
Council Member Alison Alter, District 10

Thursday, November 1, 2018

Austin City Hall

The City Council Questions and Answers Report was derived from a need to provide City Council Members an

opportunity to solicit clarifying information from City Departments as it relates to requests for council action. After a City Council Regular Meeting agenda has been published, Council Members will have the opportunity to ask questions of departments via the City Manager's Agenda Office. This process continues until 5:00 p.m. the Tuesday before the Council meeting. The final report is distributed at noon to City Council the Wednesday before the council meeting.

QUESTIONS FROM COUNCIL

4. Agenda Item #4: Approve a resolution declaring the City of Austin's official intent to reimburse itself from General Obligation Contractual Obligations in the amount of \$1,185,000 to purchase dual trash/recycling receptacles for public parks.

QUESTION: Please provide a list of parks where the recycling services will be provided. If not available, please explain when that list would be available and how it will be communicated to Council.

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

The Parks and Recreation Department (PARD) intends to fully implement recycling at all facilities. In addition to PARD buildings, recycling will be provided at all aquatic facilities, athletic complexes, golf courses, metropolitan parks, district parks and neighborhood parks. Please note that trash and recycling services to pocket parks and preserves will be provided only after careful evaluation and as needed.

PARD can provide the list of individual parks, if needed. Please know Liana Kallivoka (512-974-9455) is the point of contact if additional information is needed

QUESTION: How will the public be educated regarding what goes in the different receptacles? COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

PARD intends to install appropriate signage on all recycling receptacles. In addition PARD will use outreach material already developed by Austin Resource Recovery to maintain consistent message and branding, and will develop training and educational material for PARD employees and the public. PARD plans to evaluate diversion/recycling rates on a regular basis and adjust training and outreach efforts, as necessary.

6. Agenda Item #6: Authorize award and execution of a construction contract with ASD Consultants, Inc., (MBE) for Little Stacy Neighborhood Park - General Park Improvements Rebid project in the amount of

\$492,500 plus a \$49,250 contingency, for a total contract amount not to exceed \$541,750.

QUESTION:

Why is a rebid necessary for this project? Is the rebid amount higher than the initial bid amount?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

The rebid for the Little Stacy Neighborhood Park - General Park Improvements Rebid project was necessary because CCO received one bid in the amount of \$444,000 from Westar Construction Inc. Westar Construction, Inc. then requested to withdraw their bid due to a calculation error on their part, which was accepted by the City. This action resulted in no responsive bids on the initial solicitation and thus required the need to reissue.

The rebid amount for the Little Stacy project is higher by \$48,000, with the initial bid for the project being \$444,000 and the rebid amount being \$492,000.

9. Agenda Item #9: Approve an ordinance authorizing execution of the second amendment to a settlement agreement relating to the development of property located at 6400 City Park Road (Champion Tract 3) to include congregate living and convalescent services, and to reduce impervious cover; modifying the Lake Austin Watershed regulations in Ordinance No. 840301-F; amending Ordinances No. 960613-J and 20180215-013; and waiving Planning Commission Review.

QUESTION:

- 1. Please provide further explanation on the meaning of the terms contact in Part 3 regarding the extent that conflicts exist.
- ${\it 2. Please provide further explanation on the meaning of the "terms of the agreement" section}\\$
- 2.g. Please provide additional clarity regarding the language "The modifications do not apply to any subsequent development or redevelopment of Tract 3".
- 3. Please provide further explanation on section III (Miscellaneous Provisions) part E regarding the terms of termination. What happens if the second amendment terminates and what conditions or land use rules would exist on Tract 3 under those circumstances?

 COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

 Part 3 clarifies that by approving the Second Amendment, Council is also amending Ordinance No. 960613-J (granting a Special Exception to the Champion Tract) and Ordinance No. 20180215-013 (authorizing and effectuating the First Amendment) to the extent the two ordinances conflict with the Second Amendment. This is standard language used to ensure that the intent of the Second Amendment is not inadvertently thwarted by previous Council action regarding the same property. For example, the 1996 ordinance requires development to comply with Lake Austin Watershed Ordinance and the Second Amendment modifies the Lake Austin Watershed regulations. Similarly, the 2018 ordinance specifies 5.49 acres of impervious cover, whereas the Second Amendment sets the impervious cover maximum at 3.49 acres.

- 2. The current Settlement Agreement and First Amendment applies only to the initial multi-family development on the tract. The new language in the Second Amendment expands this to include congregate living and congregate services. The sentence regarding subsequent development makes clear that the modifications to code provided in section 2 g apply only to the initial development, not to any subsequent re-development.
- 3. The termination language has been updated (in late back up) to clarify that when the Amendment is terminated, the Original Settlement Agreement no longer applies to Tract 3. The Second Amendment terminates after initial development or 10 years from the effective date of the Second Amendment, whichever is sooner. After termination, development of Tract 3 will no longer have the benefit of the provisions in the Original Settlement Agreement or in the First or Second Amendments.
- 11. Agenda Item #11: Authorize the negotiation and execution of an amendment to the lease with Planned Parenthood of Greater Texas, a Texas non-profit corporation, for the use of a City-owned 0.35 acre tract of land improved with a 3,720 square foot building located at 1823 East 7th Street, for the purpose of operating a family planning clinic, including one 20 year term with one 20 year extension option.

QUESTION:

- 1. What are the City policies relating to solicitations, competitive bidding, or requests for proposals with respect to City-owned real estate leases?
- 2. Have any alternative or competing proposals been solicited or requested?
- 3. What is the total yearly fair-market value for a lease on this property? COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER:

1. The City policy encourages and supports market-based solutions for dispositions on City-owned land, including leases of City-owned property. These solutions would include the aforementioned "solicitations, competitive bidding, or requests for proposal." The City policy would support these market-based solutions to obtain the best value for the City and its taxpayers and to maintain total transparency in its leases. However, certain properties are so specialized or serve an essential public purpose that greater weight may be given to the public benefits, proposed purpose, and use for the property than the monetary value. Many city properties support uses that are not the highest and best use for the property, especially in the robust real estate market that we are currently experiencing in Austin. In the case of the subject property, Planned Parenthood has occupied the property for some years in serving the health needs of a large segment of the population that might go otherwise unserved. The Planned Parenthood organization seeks to obtain a long-range continuous use of the property so that it might fulfill its strategic plan. They intend to invest large sums of money to improve the property and to expand the scope of their services. The proposed approval of the lease is based upon performance measures that Planned Parenthood will be required to fulfill to meet their strategic goals and to serve the needs of the City residents.

- No alternative or competing proposals have been solicited or requested. On August 9, 2018, The City Council approved Resolution No. 20180809-056, which directed staff to negotiate a 20-year term lease amendment with Planned Parenthood of Greater Texas for the building located at 1823 East 7th Street at the annual cost of \$1.00.
- 3. The current fair market value of lease of the property would be in the range of \$30 per square foot. The building is 3,720 square feet, equating to an annual lease value of \$111,600.
- 13. Agenda Item #13: Authorize negotiation and execution of an interlocal agreement with the Austin Independent School District for programs provided by the Parks and Recreation Department.

QUESTION:

- Will Austin ISD be utilizing Title 1 funding to pay Parks and Recreation Department (PARD)?
- 2. What schools will be receiving programming?
- 3. How are schools chosen to receive programming?
- 4. What is the process for oversight of the use of City of Austin staff on AISD campuses?
- 5. What is the cost estimate of each partner for this agreement; that includes salary for PARD employees during the time of program and AISD contributions to the agreement?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

- 1. It is at the discretion of AISD to determine what funding they will use to pay for PARD Outreach programming. The outreach program with an associated direct cost is offered at a discount of roughly 50% to Title 1 schools, which is in line with our approved financial aid process. In addition, part of the intent of offering this outreach program is to allow Title 1 schools to participate in programs. It does reduce the major costs they would incur for transportation and other expenses associated with traveling off campus. It is more financially viable for PARD to travel to various campuses than vice versa.
- Schools must request the program. This agreement is with AISD at their request, however, these services are available to all schools within Austin, including other school districts.
- 3. Schools are selected on a first come, first served basis. Programs are offered to all schools that make the request until resources are exhausted.
- 4. PARD staff are responsible for facilitating the program and providing specialized materials and resources associated with the program. All staff are PARD staff are subject to a background investigation. PARD will comply with any additional security requirements AISD that needs to ensure participant and school safety.
- The chart attached indicates anticipated program costs. These calculations include staff salaries, materials and transportation.
- **21. Agenda Item #21:** Authorize negotiation and execution of a contract with Environmental Tree and Design, Inc., to provide tree relocation and care services, in an amount not to exceed \$550,000.

 $\underline{\text{QUESTION}} : \text{Why were the trees designated to be relocated from the current site? Please provide an explanation to justify the need for relocating the trees.}$

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

The proposed relocation contract is follow-up to a provision included in the Interlocal agreement with the Texas Facilities Commission (TFC) for the Capitol Complex project.

During the Council discussion that occurred at the time negotiation of the Interlocal with TFC was approved, tree removal for the Capitol Complex was highlighted as an element of concern, both by the team negotiating the Interlocal and Council. Based on this feedback, staff negotiated a provision that provided for \$130,500 funded by TFC toward the relocation of trees designated by the City for transplant. Staff worked with the Waller Creek Conservancy to identify potential relocation candidates. Staff responded to a number of Council questions regarding tree relocation and the referenced provision as a part of the Council Q&A process. Council approved the interlocal in December 2017. The Interlocal contemplates City initiated relocation of designated trees with a state contribution. The proposed relocation contract is follow-up to that negotiated provision. The relevant section of the Interlocal reads as follows:

"1.5.7 TREE PRESERVATION. TFC will provide to the City \$130,500.00 to facilitate the relocation of trees from the ROW that have been designated for removal by the Project and the City has identified for relocation. Alternatively, TFC agrees to make these funds available for the City to relocate trees from TFC property that have been designated for removal. Other than the above described payment, TFC will not be responsible for the relocation of any trees. The City shall timely coordinate the relocation of the designated trees with TFC to conform to the Project schedule. Payment by TFC will occur upon the removal of the designated tree(s) being relocated from the Project area by the City."

While this provision was included based on Council feedback, the Development Services

Department considers these potential relocations to be a unique opportunity to preserve and
plant mature, Heritage species (Live Oak) trees in a downtown public space (Waterloo Park).

The trees are being relocated in collaboration with the Waller Creek Conservancy and the
placements have been incorporated into the design of the park plan to enhance the public
experience. The Live Oaks are of iconic nature and will provide immediate value to the park.

The Urban Forest Replenishment Fund is the funding source. The Urban Forest Replenishment
Fund was created to mitigate the impact of tree removals and is used to fund projects associated
with tree planting and other related efforts that support our urban forest.

24. Agenda Item #24: Approve a resolution directing the City Manager to issue a Request for Proposals for redevelopment of a City-owned property located at 6909 Ryan Drive.

QUESTION:

Can City Staff please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved? COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

The Resolution does not require additional staff time or resources beyond what is budgeted in FY 2019 for consulting and professional services for the redevelopment of City owned land, as described in the following memo: http://www.austintexas.gov/edims/pio/document.cfm? id=303117.

To assist in carrying out these resolutions, City Council adopted the FY 2019 Budget that appropriates \$261,443 in one-time funding for consultant and professional services to carry out necessary community engagement, market and financial feasibility and site evaluation services needed to competitively reposition high priority properties for which 6909 Ryan Drive is one. These resources are sufficient to issue a request for proposals solicitation but does not account

for unanticipated costs and expenditures needed for Austin Energy to relocate from the property and prepare it for sale. This also excludes any costs associated with a prospective public private partnership to redevelop the property as a result of a future negotiated development agreement.

QUESTION:

What are the circumstances where staff believe it is more advisable to have an RFP instead of an RFI?

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

A Request for Information (RFI) is a useful mechanism to engage with private sector real estate development expertise to better inform a future solicitation through a formal Request for Qualifications and/or Request for Proposals (RFQS/RFP). Properties that could benefit from an RFI issuance prior to a formal solicitation process are those that have some or all of the following characteristics:

- When the property is unique- meaning that repurposing is not obvious
- When the location of the property is in dynamic market transition
- When the outcome of a parcel redevelopment hinges on a critical decision that would need to be made clear in the solicitation

In the case of 6909 Ryan Drive, this property already benefits from a body of work executed through community and staff efforts that serve to inform a future RFP. This information can be found in the Information Kit found as backup to Item #24 on the November 1, 2018, City Council agenda and at the link here: http://austintexas.gov/department/ryan. The City will be engaging a consultant team to build off of this past work to infuse physical, legal, financial, market and regulatory into a community engagement process that builds upon and not subverts past engagement work. The end result is the arrival at a conceptual framework, grounded in market and financial reality and inspired by community benefits and vision, in a formal solicitation process. Thus upcoming staff and consultant work will provide the requisite information to competitively reposition this high priority property through an RFP.

25. Agenda Item #25: Approve a resolution directing the City Manager to develop and present options for the redevelopment, renovation, and activation of the Travis County Exposition Center and the surrounding 128-acre site.

QUESTION:

Can City Staff please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

Based on previous analysis done on the site (the 2016 joint City and Travis County "Market and Planning Study" for the Travis County Exposition Center) and the ongoing master planning effort that the Parks and Recreation Department (PARD) staff is already undertaking for Walter E. Long Metropolitan Park, PARD operations should not be significantly impacted by developing options to Council. Should Council expect a full community engagement/design process in conjunction with this resolution direction, there would be a need for additional resources. To fully respond to the direction included in the resolution, it will require additional analysis and a series of meetings among various City departments, including PARD, Office of Real Estate Services, Economic Development Department, Finance, and others as appropriate

QUESTION:

What are examples or types of circumstances which would require voter approval for redevelopment of this site?

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

The City Charter requires there to be an election before the City can sell, convey, lease, mortgage, or otherwise alienate the land owned by the City underlying the Travis County Exposition Center, due to the fact that this land is dedicated for park purposes. [Art. II, Sec. 7].

28. Agenda Item #28: Set a public hearing to consider a resolution of no objection and acknowledge certain facts for an application to be submitted to the Texas Department of Housing and Community Affairs by RISE Residential Construction, L.P., or an affiliated entity, for the construction of a multi-family development to be known as Austin Parmer II Apartment Homes, to be located near the intersection of Bellingham and East Parmer Lane, in the City's extraterritorial jurisdiction

(Suggested date and time: November 15, 2018 at 4:00p.m., Austin City Hall, 301 W. Second Street, Austin, TX).

<u>QUESTION</u>: In reviewing the RCA sheet, it states "Property residents are served by the top-rated Manor ISD with schools." Please identify what documentation was used to determine Manor ISD is top-rated?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

As part of the application, the developer must submit a description of the location of the property as well as a reference to the population served. A portion of this information was incorporated into the RCA, which inadvertently included the information provided about the school district. Staff has not been able to verify that Manor is a "top-rated" school district; however, the three schools by which this development would be served met the state standards. According to the Texas Education Agency, the high school has a graduation score of 95, and the elementary school has a distinction in science. Moving forward, staff will be certain to remove or verify similar information.

44. Agenda Item #44: C14-2018-0077 Damac Commercial-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7712 FM 969 (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to community commercial -mixed use (GR-MU) combining district zoning on Tract 1 and townhouse and condominium residence (SF-6) district zoning on Tract 2. Staff Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning on a portion of the property and townhouse and condominium residence (SF-6) district zoning on the remainder of the property. Zoning and Platting Commission Recommendation: To grant neighborhood commercial -mixed use (LR-MU) combining district zoning on a portion of the property and single family residence-standard lot (SF-2) district zoning on the remainder of the property. Owner/Applicant: Damac Real Estate Investment Group (Saqib Ali). Agent: Ausland Architects (Kennedy Whiteley). City Staff: Heather Chaffin, 512-974-2122. A Valid Petition has been filed in opposition to this request.

<u>QUESTION</u>: The Zoning and Platting Commission recommended that staff consult with the Texas Historical Commission. Can staff identify what kind of artifacts could be contained on the property?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

Staff consulted with Ms. Tiffany Osburn, Regional Archeologist/Project Reviewer in the Archeology Division of the Texas Historical Commission (THC), regarding this property. Ms. Osburn indicated no archeological or historic sites have been recorded on this property in the past, and there has not been any THC archeological survey conducted on the site. (The City does not have authority to require an archeological survey as part of the zoning process because it is not addressed in City Code.)

The neighbors who brought this issue to Staff and ZAP's attention live nearby to the east of the zoning tract. One neighbor who attended the ZAP meeting provided pictures of arrowheads claimed to be found on his property; the neighbor did not leave copies of these pictures for ZAP or staff. At this time, we are unaware of any other types of artifacts which might be contained on the property.

Agenda Item #46: C14H-1981-0018 - Kenney House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning a portion of the property locally known as 611 W. 22nd Street from general office - mixed use - historic landmark - neighborhood plan (GO-MU-H-NP) combining district to general office - mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Staff Recommendation: To grant general office - mixed use - neighborhood plan

(GO-MU-NP) combining district zoning for a portion of the tract. Historic Landmark Commission Recommendation: No recommendation due to lack of a quorum vote. Planning Commission Recommendation: To grant general office - mixed use - neighborhood plan (GO-MU-NP) combining district zoning for a portion of the tract. Applicant: Mike McHone. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

<u>QUESTION</u>: Has the owner of the property located at 611 W 22nd received exemptions from ad valorem taxes for historically-designated properties? If so, for what period of time has the owner received the exemptions?

MAYOR PRO TEM TOVO'S OFFICE

ANSWER:

Our records go back to 2003, and it appears that the Kenney House has applied for and been recommended for the tax exemption every year since then.

Agenda Item #48: C14H-2018-0105 - Hillside Pharmacy.- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1209 E. 11th Street from commercial-liquor sales- neighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district to commercial-liquor sales-historic landmark-neighborhood conservation combining district-neighborhood plan (CS-1-H-NCCD-NP) combining district. Staff recommendation: To grant commercial-liquor sales-historic landmark-neighborhood conservation combining district-neighborhood plan (CS-1-H-NCCD-NP) combining district. Historic Landmark Commission Recommendation: Pending. Planning Commission Recommendation: Pending. Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 974-6454

QUESTION:

Can City Staff please provide more details or explanation of why the building was not recommended for local or national designation by the East Austin Historic Resources Survey (2016)?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

The intent of the 2016 East Austin Historic Resources Survey is to provide a framework of "buildings, structures, sites, landscapes, and objects within the designated area which may be eligible for designation as a historic landmark or as a contributing resource to a Historic District." The survey is not intended to be a comprehensive list of all eligible landmarks or districts, therefore a property or district that is not included may still be eligible for Historic Landmark or District designation.

55. Agenda Item #55: C814-86-023.01 - Camelback PUD - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by zoning and rezoning property locally known as 6507 Bridge Point Parkway (Coldwater Creek Watershed, Lake Austin Watershed). Applicant's Request: To zone and rezone from interim-rural residence (I-RR) district zoning, interim-Lake Austin residence (I-LA) district zoning and planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change conditions of zoning, with conditions. First Reading approved on October 18, 2018. Vote: 10-0, Council Member Pool was off the dais. Owner/Applicant: Loop 360 Land LP (Jonathan Coon). Agent: McClean & Howard, L.L.P. (Jeffrey S. Howard). City Staff: Wendy Rhoades, 512-974-7719. The ordinance may include entitlements triggered by actions on a nearby tract (Champion Tract 3), exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property.

QUESTION:

- 1. The Land Development Code 3.1.2 "Substantial Amendment" section describes a finite list of criteria for what is a substantial amendment to a PUD; which criteria did staff use to establish Camelback PUD as an amendment to the previous Hidden Valley PUD?
- 2. The Camelback PUD proposes to alter the boundaries of the Hidden Valley PUD; is there a code reference allowing a change to PUD boundaries as a "substantial amendment"; are there any precedents in which Council has approved a change in PUD boundaries as a "substantial amendment" to an existing PUD?
- 3. How many cluster docks or marinas on Lake Austin and the Colorado River within the boundaries of the City of Austin have been approved to have lift stations to serve bathrooms and/or kitchens; additionally, how many clubhouses on the lake/river have been approved to have lift stations with bathrooms and/or kitchens?
- 4. What is the width of a water/wastewater pipe to serve 2 bathrooms with 2 stalls/bathroom?
- 5. If the proposed cluster dock with the clubhouse and the tram and staircase are for private residential use only, how will this be enforced?
- 6. What is the height and length of the netting system at the base of the cliff that is proposed to catch any limestone "calving" from above?
- 7. How many trams has the City of Austin approved since 2014? Please list them, and describe the general size of the tram systems that have been approved, i.e., how many tram cars per system, what is the general width of the tram cars?
- 8. What is the required width of staircases that have been approved to have access to cluster docks?

COUNCIL MEMBER POOL'S OFFICE

ANSWER:

1. The Land Development Code 3.1.2 "Substantial Amendment" section describes a finite list of criteria for what is a substantial amendment to a PUD; which criteria did staff use to establish Camelback PUD as an amendment to the previous Hidden Valley PUD?

Staff used Section 3.1.2 that addresses: the addition of a land use that is more intense (A); amending a site development regulation (B); and amending a condition of a the PUD

zoning district (D). A change in boundary is not listed in Section 3.1.2, but constitutes a substantial amendment.

2. The Camelback PUD proposes to alter the boundaries of the Hidden Valley PUD; is there a code reference allowing a change to PUD boundaries as a "substantial amendment"; are there any precedents in which Council has approved a change in PUD boundaries as a "substantial amendment" to an existing PUD?

There is not a specific Code section that addresses the addition of land to a PUD. However, there is an amendment to Goodnight Ranch PUD currently in process that adds 6+ acres; Pioneer Crossing PUD in northeast Austin added 100+ acres in 2004-05. Both are considered substantial amendments which require public review.

3. How many cluster docks or marinas on Lake Austin and the Colorado River within the boundaries of the City of Austin have been approved to have lift stations to serve bathrooms and/or kitchens; additionally, how many clubhouses on the lake/river have been approved to have lift stations with bathrooms and/or kitchens?

Staff is aware that the Austin Country Club connects to a 12 inch public lift station. Staff is not aware of which cluster docks/marinas have lift stations but will provide follow up on this question. Below is a list of cluster docks/marinas:

Marina/Cluster Dock	Number of Slips	
Lake Austin Marina 168	3	
Oyster Landing Marina	100	
Waterfront Marina Condomir	niums cluster docks	77
Ski Shores Marina 54		
Westlake Beach Marina	45	
Orleans Harbor cluster dock	33	
Davenport Ranch cluster docl	ks 30	
Spritehaven cluster dock	28	
West Harbor Marina 26		
West Rim HoA cluster dock	24	
River Bend Marina (at River B	end) 23	
Laguna Loma cluster dock	20	
Precipice Cove cluster dock	16	
Sleepy Hollow neighborhood	cluster dock	16
Panorama Harbor cluster doc	k 16	

- 4. What is the width of a water/wastewater pipe to serve 2 bathrooms with 2 stalls/bathroom?

 The Applicant's preliminary response to Staff is that the water line will be 8 inches to support fire flow and 4 inches for domestic service. Wastewater service is likely to be a 2-inch line in a 12 inch carrier pipe.
- 5. If the proposed cluster dock with the clubhouse and the tram and staircase are for private residential use only, how will this be enforced?

The Applicant intends to limit public access through physical restrictions with locks, gates, surveillance and personnel (subject to emergency access needs such as Knox Box).

6. What is the height and length of the netting system at the base of the cliff that is proposed to catch any limestone "calving" from above?

The Applicant's response to Staff is that the height and length of the netting system will

be determined after consultation with experts engaged in design and construction of such system.

7. How many trams has the City of Austin approved since 2014? Please list them, and describe the general size of the tram systems that have been approved, i.e., how many tram cars per system, what is the general width of the tram cars?

There have been four tram permits approved by the City since 2014:

- 1. SP-2014-0144D APPROVED (Issued May 11, 2015)
- 2. SP-2014-0135D APPROVED (Issued June 9, 2015)
- 3. SP-2017-0119D APPROVED (Issued May 3, 2018)
- 4. SP-2018-0069D APPROVED (Issued Sept 10, 2018)

Tram carriage dimensions are not required at site plan, so that information is not available. However, the typical Lake Austin tram is single car and single track. Staff estimates that typical carriages are approximately four feet by six feet and can carry four to five individuals with a typical carrying capacity being about 860 pounds.

8. What is the required width of staircases that have been approved to have access to cluster docks?

The stair width is in direct correlation to the occupant load. If the occupant load is 49 or less, the minimum stair width allowed is 36 inches. If the occupant load is 50 or more, the minimum required stair width is 44 inches. The required stair width needs to widen as the occupant load increases.

The Applicant notes that a 4-foot wide stair width with handrails on each side is required by the International Building Code. For the inclined elevator safety egress, the Applicant has proposed an additional 2 feet on either side of the central staircase, bringing the total width to 8 feet.

QUESTION/ANSWER: See attachment.



OF AUG.

City of Austin

Recommendation for Action

File #: 18-3657, Agenda Item #: 4.

11/1/2018

Agenda Item

Agenda Item #4: Approve a resolution declaring the City of Austin's official intent to reimburse itself from General Obligation Contractual Obligations in the amount of \$1,185,000 to purchase dual trash/recycling receptacles for public parks.

QUESTION: Please provide a list of parks where the recycling services will be provided. If not available, please explain when that list would be available and how it will be communicated to Council.

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

The Parks and Recreation Department (PARD) intends to fully implement recycling at all facilities. In addition to PARD buildings, recycling will be provided at all aquatic facilities, athletic complexes, golf courses, metropolitan parks, district parks and neighborhood parks. Please note that trash and recycling services to pocket parks and preserves will be provided only after careful evaluation and as needed.

PARD can provide the list of individual parks, if needed. Please know Liana Kallivoka (512-974-9455) is the point of contact if additional information is needed

QUESTION: How will the public be educated regarding what goes in the different receptacles? COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

PARD intends to install appropriate signage on all recycling receptacles. In addition PARD will use outreach material already developed by Austin Resource Recovery to maintain consistent message and branding, and will develop training and educational material for PARD employees and the public. PARD plans to evaluate diversion/recycling rates on a regular basis and adjust training and outreach efforts, as necessary.



TOTAL STATE OF A LOS AND A

City of Austin

Recommendation for Action

File #: 18-3704, Agenda Item #: 6.

11/1/2018

Agenda Item

Agenda Item #6: Authorize award and execution of a construction contract with ASD Consultants, Inc., (MBE) for Little Stacy Neighborhood Park - General Park Improvements Rebid project in the amount of \$492,500 plus a \$49,250 contingency, for a total contract amount not to exceed \$541,750.

QUESTION:

Why is a rebid necessary for this project? Is the rebid amount higher than the initial bid amount? COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

The rebid for the Little Stacy Neighborhood Park - General Park Improvements Rebid project was necessary because CCO received one bid in the amount of \$444,000 from Westar Construction Inc. Westar Construction, Inc. then requested to withdraw their bid due to a calculation error on their part, which was accepted by the City. This action resulted in no responsive bids on the initial solicitation and thus required the need to reissue.

The rebid amount for the Little Stacy project is higher by \$48,000, with the initial bid for the project being \$444,000 and the rebid amount being \$492,000.



OLIVDED 11.30

City of Austin

Recommendation for Action

File #: 18-3701, Agenda Item #: 9.

11/1/2018

Agenda Item

Agenda Item #9: Approve an ordinance authorizing execution of the second amendment to a settlement agreement relating to the development of property located at 6400 City Park Road (Champion Tract 3) to include congregate living and convalescent services, and to reduce impervious cover; modifying the Lake Austin Watershed regulations in Ordinance No. 840301-F; amending Ordinances No. 960613-J and 20180215-013; and waiving Planning Commission Review.

QUESTION:

- 1. Please provide further explanation on the meaning of the terms contact in Part 3 regarding the extent that conflicts exist.
- 2. Please provide further explanation on the meaning of the "terms of the agreement" section 2.g. Please provide additional clarity regarding the language "The modifications do not apply to any subsequent development or redevelopment of Tract 3".
- 3. Please provide further explanation on section III (Miscellaneous Provisions) part E regarding the terms of termination. What happens if the second amendment terminates and what conditions or land use rules would exist on Tract 3 under those circumstances?

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

- Part 3 clarifies that by approving the Second Amendment, Council is also amending Ordinance No. 960613-J
 (granting a Special Exception to the Champion Tract) and Ordinance No. 20180215-013 (authorizing and
 effectuating the First Amendment) to the extent the two ordinances conflict with the Second Amendment. This
 is standard language used to ensure that the intent of the Second Amendment is not inadvertently thwarted by
 previous Council action regarding the same property.
 - For example, the 1996 ordinance requires development to comply with Lake Austin Watershed Ordinance and the Second Amendment modifies the Lake Austin Watershed regulations. Similarly, the 2018 ordinance specifies 5.49 acres of impervious cover, whereas the Second Amendment sets the impervious cover maximum at 3.49 acres.
- 2. The current Settlement Agreement and First Amendment applies only to the initial multi-family development on the tract. The new language in the Second Amendment expands this to include congregate living and congregate services. The sentence regarding subsequent development makes clear that the modifications to code provided in section 2 g apply only to the initial development, not to any subsequent re-development.
- 3. The termination language has been updated (in late back up) to clarify that when the Amendment is terminated, the Original Settlement Agreement no longer applies to Tract 3. The Second Amendment terminates after initial development or 10 years from the effective date of the Second Amendment, whichever is sooner. After termination, development of Tract 3 will no longer have the benefit of the provisions in the Original Settlement

11/1/2018

Agreement or in the First or Second Amendments.



OF AUSO

City of Austin

Recommendation for Action

File #: 18-3669, Agenda Item #: 11.

11/1/2018

Agenda Item

Agenda Item #11: Authorize the negotiation and execution of an amendment to the lease with Planned Parenthood of Greater Texas, a Texas non-profit corporation, for the use of a City-owned 0.35 acre tract of land improved with a 3,720 square foot building located at 1823 East 7th Street, for the purpose of operating a family planning clinic, including one 20 year term with one 20 year extension option.

QUESTION:

- 1. What are the City policies relating to solicitations, competitive bidding, or requests for proposals with respect to Cityowned real estate leases?
- 2. Have any alternative or competing proposals been solicited or requested?
- 3. What is the total yearly fair-market value for a lease on this property? COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER:

- 1. The City policy encourages and supports market-based solutions for dispositions on City-owned land, including leases of City-owned property. These solutions would include the aforementioned "solicitations, competitive bidding, or requests for proposal." The City policy would support these market-based solutions to obtain the best value for the City and its taxpayers and to maintain total transparency in its leases. However, certain properties are so specialized or serve an essential public purpose that greater weight may be given to the public benefits, proposed purpose, and use for the property than the monetary value. Many city properties support uses that are not the highest and best use for the property, especially in the robust real estate market that we are currently experiencing in Austin. In the case of the subject property, Planned Parenthood has occupied the property for some years in serving the health needs of a large segment of the population that might go otherwise unserved. The Planned Parenthood organization seeks to obtain a long-range continuous use of the property so that it might fulfill its strategic plan. They intend to invest large sums of money to improve the property and to expand the scope of their services. The proposed approval of the lease is based upon performance measures that Planned Parenthood will be required to fulfill to meet their strategic goals and to serve the needs of the City residents.
- 2. No alternative or competing proposals have been solicited or requested. On August 9, 2018, The City Council approved Resolution No. 20180809-056, which directed staff to negotiate a 20-year term lease amendment with Planned Parenthood of Greater Texas for the building located at 1823 East 7th Street at the annual cost of \$1.00.
- 3. The current fair market value of lease of the property would be in the range of \$30 per square foot. The building is 3,720 square feet, equating to an annual lease value of \$111,600.



OF AUG.

City of Austin

Recommendation for Action

File #: 18-3705, Agenda Item #: 13.

11/1/2018

Agenda Item

Agenda Item #13: Authorize negotiation and execution of an interlocal agreement with the Austin Independent School District for programs provided by the Parks and Recreation Department.

QUESTION:

- 1. Will Austin ISD be utilizing Title 1 funding to pay Parks and Recreation Department (PARD)?
- 2. What schools will be receiving programming?
- 3. How are schools chosen to receive programming?
- 4. What is the process for oversight of the use of City of Austin staff on AISD campuses?
- 5. What is the cost estimate of each partner for this agreement; that includes salary for PARD employees during the time of program and AISD contributions to the agreement?

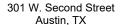
COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

- 1. It is at the discretion of AISD to determine what funding they will use to pay for PARD Outreach programming. The outreach program with an associated direct cost is offered at a discount of roughly 50% to Title 1 schools, which is in line with our approved financial aid process. In addition, part of the intent of offering this outreach program is to allow Title 1 schools to participate in programs. It does reduce the major costs they would incur for transportation and other expenses associated with traveling off campus. It is more financially viable for PARD to travel to various campuses than vice versa.
- 2. Schools must request the program. This agreement is with AISD at their request, however, these services are available to all schools within Austin, including other school districts.
- 3. Schools are selected on a first come, first served basis. Programs are offered to all schools that make the request until resources are exhausted.
- 4. PARD staff are responsible for facilitating the program and providing specialized materials and resources associated with the program. All staff are PARD staff are subject to a background investigation. PARD will comply with any additional security requirements AISD that needs to ensure participant and school safety.
- 5. The chart attached indicates anticipated program costs. These calculations include staff salaries, materials and transportation.

Program	Cost to Participate	Revenue	Cost to Provide Service	Summary/Additional Benefits
Austin Nature & Science Center (ANSC)	\$90 to \$450	\$12,150*	\$285 per 1.5 hour program	Variety of programs done at a school or in a park that focus on nature and science topics. Organized audience reached without marketing efforts.
Park Ranger Cadet Program	\$0	\$0	\$34,300 Per School Year	Practicum career course at Aikens High School to introduce students to opportunities in the Parks and Recreation Field. Volunteer service hours valued at over \$5,000 per year. Cadets assist with Park Ranger programs during school year of approximately 1500 students. Works to diversify and provide a more inclusive workforce. Two cadets hired as FTE Park Rangers.
Lorraine "Grandma" Camacho Activity Center	\$0	\$0	\$26,183 for after school and in school programs	Introducing outdoor leadership skills to students who would not normally have access-special needs class (Nature Immersion Course at Martin Middle School) and Title One School (Dirt Divas at Bertha Saddler Means).
Totally Cool Total Art	\$0	\$0	\$7,290.00 per location, per session	The program reinforces positive choices by offering art appreciation in a mentoring environment.
Roving Leaders	\$0	\$0	\$8,750.00, per location, per semester	Described as "recreation center on wheels," that builds character, leadership skills while providing access to technology. Includes service learning projects
Teens In Leadership Training	\$0	\$0	\$5,000.00 per location, per semester	Offering High School teens ages 16-18 training in leadership skills, job readiness training, and a chance to work for PARD during the summer.

^{*}This is a new program and this value is an estimate. Cost to a school is from \$90 up to \$450, depending on whether the school is a Title 1 school and if program is done at ANSC, at a park, or in the school. This is the first year the program will go into AISD schools, so data is currently based on previous work and estimates of 1.5 programs per week



OF ALSO

City of Austin

Recommendation for Action

File #: 18-3706, Agenda Item #: 21.

11/1/2018

Agenda Item

Agenda Item #21: Authorize negotiation and execution of a contract with Environmental Tree and Design, Inc., to provide tree relocation and care services, in an amount not to exceed \$550,000.

<u>QUESTION</u>: Why were the trees designated to be relocated from the current site? Please provide an explanation to justify the need for relocating the trees.

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

The proposed relocation contract is follow-up to a provision included in the Interlocal agreement with the Texas Facilities Commission (TFC) for the Capitol Complex project.

During the Council discussion that occurred at the time negotiation of the Interlocal with TFC was approved, tree removal for the Capitol Complex was highlighted as an element of concern, both by the team negotiating the Interlocal and Council. Based on this feedback, staff negotiated a provision that provided for \$130,500 funded by TFC toward the relocation of trees designated by the City for transplant. Staff worked with the Waller Creek Conservancy to identify potential relocation candidates. Staff responded to a number of Council questions regarding tree relocation and the referenced provision as a part of the Council Q&A process. Council approved the interlocal in December 2017. The Interlocal contemplates City initiated relocation of designated trees with a state contribution. The proposed relocation contract is follow-up to that negotiated provision. The relevant section of the Interlocal reads as follows:

"1.5.7 TREE PRESERVATION. TFC will provide to the City \$130,500.00 to facilitate the relocation of trees from the ROW that have been designated for removal by the Project and the City has identified for relocation. Alternatively, TFC agrees to make these funds available for the City to relocate trees from TFC property that have been designated for removal. Other than the above described payment, TFC will not be responsible for the relocation of any trees. The City shall timely coordinate the relocation of the designated trees with TFC to conform to the Project schedule. Payment by TFC will occur upon the removal of the designated tree(s) being relocated from the Project area by the City."

While this provision was included based on Council feedback, the Development Services Department considers these potential relocations to be a unique opportunity to preserve and plant mature, Heritage species (Live Oak) trees in a downtown public space (Waterloo Park). The trees are being relocated in collaboration with the Waller Creek Conservancy and the placements have been incorporated into the design of the park plan to enhance the public experience. The Live Oaks are of iconic nature and will provide immediate value to the park. The Urban Forest Replenishment Fund is the funding source. The Urban Forest Replenishment Fund was created to mitigate the impact of tree removals and is used to fund projects associated with tree planting and other related efforts that support our urban forest.



OUNDED 133

City of Austin

Recommendation for Action

File #: 18-3678, Agenda Item #: 24.

11/1/2018

Agenda Item

Agenda Item #24: Approve a resolution directing the City Manager to issue a Request for Proposals for redevelopment of a City-owned property located at 6909 Ryan Drive.

QUESTION:

Can City Staff please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

The Resolution does not require additional staff time or resources beyond what is budgeted in FY 2019 for consulting and professional services for the redevelopment of City owned land, as described in the following memo: http://www.austintexas.gov/edims/pio/document.cfm?id=303117.

To assist in carrying out these resolutions, City Council adopted the FY 2019 Budget that appropriates \$261,443 in one-time funding for consultant and professional services to carry out necessary community engagement, market and financial feasibility and site evaluation services needed to competitively reposition high priority properties for which 6909 Ryan Drive is one. These resources are sufficient to issue a request for proposals solicitation but does not account for unanticipated costs and expenditures needed for Austin Energy to relocate from the property and prepare it for sale. This also excludes any costs associated with a prospective public private partnership to redevelop the property as a result of a future negotiated development agreement.

QUESTION:

What are the circumstances where staff believe it is more advisable to have an RFP instead of an RFI? COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

A Request for Information (RFI) is a useful mechanism to engage with private sector real estate development expertise to better inform a future solicitation through a formal Request for Qualifications and/or Request for Proposals (RFQS/RFP). Properties that could benefit from an RFI issuance prior to a formal solicitation process are those that have some or all of the following characteristics:

- When the property is unique- meaning that repurposing is not obvious
- When the location of the property is in dynamic market transition
- When the outcome of a parcel redevelopment hinges on a critical decision that would need to be made clear in the solicitation

In the case of 6909 Ryan Drive, this property already benefits from a body of work executed through community and staff efforts that serve to inform a future RFP. This information can be found in the Information Kit found as backup to Item #24 on the November 1, 2018, City Council agenda and at the link here: http://austintexas.gov/department/ryan.

11/1/2018

The City will be engaging a consultant team to build off of this past work to infuse physical, legal, financial, market and regulatory into a community engagement process that builds upon and not subverts past engagement work. The end result is the arrival at a conceptual framework, grounded in market and financial reality and inspired by community benefits and vision, in a formal solicitation process. Thus upcoming staff and consultant work will provide the requisite information to competitively reposition this high priority property through an RFP.



TO FALLS

City of Austin

Recommendation for Action

File #: 18-3679, Agenda Item #: 25.

11/1/2018

Agenda Item

Agenda Item #25: Approve a resolution directing the City Manager to develop and present options for the redevelopment, renovation, and activation of the Travis County Exposition Center and the surrounding 128-acre site.

QUESTION:

Can City Staff please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

Based on previous analysis done on the site (the 2016 joint City and Travis County "Market and Planning Study" for the Travis County Exposition Center) and the ongoing master planning effort that the Parks and Recreation Department (PARD) staff is already undertaking for Walter E. Long Metropolitan Park, PARD operations should not be significantly impacted by developing options to Council. Should Council expect a full community engagement/design process in conjunction with this resolution direction, there would be a need for additional resources. To fully respond to the direction included in the resolution, it will require additional analysis and a series of meetings among various City departments, including PARD, Office of Real Estate Services, Economic Development Department, Finance, and others as appropriate

QUESTION:

What are examples or types of circumstances which would require voter approval for redevelopment of this site? COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

The City Charter requires there to be an election before the City can sell, convey, lease, mortgage, or otherwise alienate the land owned by the City underlying the Travis County Exposition Center, due to the fact that this land is dedicated for park purposes. [Art. II, Sec. 7].



TO FAILST

City of Austin

Recommendation for Action

File #: 18-3707, Agenda Item #: 28.

11/1/2018

Agenda Item

Agenda Item #28: Set a public hearing to consider a resolution of no objection and acknowledge certain facts for an application to be submitted to the Texas Department of Housing and Community Affairs by RISE Residential Construction, L.P., or an affiliated entity, for the construction of a multi-family development to be known as Austin Parmer II Apartment Homes, to be located near the intersection of Bellingham and East Parmer Lane, in the City's extraterritorial jurisdiction

(Suggested date and time: November 15, 2018 at 4:00p.m., Austin City Hall, 301 W. Second Street, Austin, TX).

QUESTION: In reviewing the RCA sheet, it states "Property residents are served by the top-rated Manor ISD with schools." Please identify what documentation was used to determine Manor ISD is top-rated? COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

As part of the application, the developer must submit a description of the location of the property as well as a reference to the population served. A portion of this information was incorporated into the RCA, which inadvertently included the information provided about the school district. Staff has not been able to verify that Manor is a "top-rated" school district; however, the three schools by which this development would be served met the state standards. According to the Texas Education Agency, the high school has a graduation score of 95, and the elementary school has a distinction in science. Moving forward, staff will be certain to remove or verify similar information.



TO INDED 1839

City of Austin

Recommendation for Action

File #: 18-3708, Agenda Item #: 44.

11/1/2018

Agenda Item

Agenda Item #44: C14-2018-0077 Damac Commercial-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7712 FM 969 (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to community commercial -mixed use (GR-MU) combining district zoning on Tract 1 and townhouse and condominium residence (SF-6) district zoning on Tract 2. Staff Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning on a portion of the property and townhouse and condominium residence (SF-6) district zoning on the remainder of the property. Zoning and Platting Commission Recommendation: To grant neighborhood commercial -mixed use (LR-MU) combining district zoning on a portion of the property and single family residence-standard lot (SF-2) district zoning on the remainder of the property. Owner/Applicant: Damac Real Estate Investment Group (Saqib Ali). Agent: Ausland Architects (Kennedy Whiteley). City Staff: Heather Chaffin, 512-974-2122. A Valid Petition has been filed in opposition to this request.

QUESTION: The Zoning and Platting Commission recommended that staff consult with the Texas Historical Commission. Can staff identify what kind of artifacts could be contained on the property?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

Staff consulted with Ms. Tiffany Osburn, Regional Archeologist/Project Reviewer in the Archeology Division of the Texas Historical Commission (THC), regarding this property. Ms. Osburn indicated no archeological or historic sites have been recorded on this property in the past, and there has not been any THC archeological survey conducted on the site. (The City does not have authority to require an archeological survey as part of the zoning process because it is not addressed in City Code.)

The neighbors who brought this issue to Staff and ZAP's attention live nearby to the east of the zoning tract. One neighbor who attended the ZAP meeting provided pictures of arrowheads claimed to be found on his property; the neighbor did not leave copies of these pictures for ZAP or staff. At this time, we are unaware of any other types of artifacts which might be contained on the property.



TO FAILST

City of Austin

Recommendation for Action

File #: 18-3671, Agenda Item #: 46.

11/1/2018

Agenda Item

Agenda Item #46: C14H-1981-0018 - Kenney House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning a portion of the property locally known as 611 W. 22nd Street from general office - mixed use - historic landmark - neighborhood plan (GO-MU-H-NP) combining district to general office - mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Staff Recommendation: To grant general office - mixed use - neighborhood plan

(GO-MU-NP) combining district zoning for a portion of the tract. Historic Landmark Commission Recommendation: No recommendation due to lack of a quorum vote. Planning Commission Recommendation: To grant general office - mixed use - neighborhood plan (GO-MU-NP) combining district zoning for a portion of the tract. Applicant: Mike McHone. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.

<u>QUESTION</u>: Has the owner of the property located at 611 W 22nd received exemptions from ad valorem taxes for historically-designated properties? If so, for what period of time has the owner received the exemptions? MAYOR PRO TEM TOVO'S OFFICE

ANSWER:

Our records go back to 2003, and it appears that the Kenney House has applied for and been recommended for the tax exemption every year since then.





City of Austin

Recommendation for Action

File #: 18-3702, Agenda Item #: 48.

11/1/2018

Agenda Item

Agenda Item #48: C14H-2018-0105 - Hillside Pharmacy.- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1209 E. 11th Street from commercial-liquor salesneighborhood conservation combining district-neighborhood plan (CS-1-NCCD-NP) combining district to commercial-liquor sales-historic landmark-neighborhood conservation combining district. Staff recommendation: To grant commercial-liquor sales-historic landmark-neighborhood conservation combining district-neighborhood plan (CS-1-H-NCCD-NP) combining district. Historic Landmark Commission Recommendation: Pending. Planning Commission Recommendation: Pending. Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 974-6454

QUESTION:

Can City Staff please provide more details or explanation of why the building was not recommended for local or national designation by the East Austin Historic Resources Survey (2016)?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

The intent of the 2016 East Austin Historic Resources Survey is to provide a framework of "buildings, structures, sites, landscapes, and objects within the designated area which may be eligible for designation as a historic landmark or as a contributing resource to a Historic District."

The survey is not intended to be a comprehensive list of all eligible landmarks or districts, therefore a property or district that is not included may still be eligible for Historic Landmark or District designation.



City of Austin

Recommendation for Action

File #: 18-3677, Agenda Item #: 55.

11/1/2018

Agenda Item

Agenda Item #55: C814-86-023.01 - Camelback PUD - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by zoning and rezoning property locally known as 6507 Bridge Point Parkway (Coldwater Creek Watershed, Lake Austin Watershed). Applicant's Request: To zone and rezone from interimrural residence (I-RR) district zoning, interim-Lake Austin residence (I-LA) district zoning and planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change conditions of zoning, with conditions. First Reading approved on October 18, 2018. Vote: 10-0, Council Member Pool was off the dais. Owner/Applicant: Loop 360 Land LP (Jonathan Coon). Agent: McClean & Howard, L.L.P. (Jeffrey S. Howard). City Staff: Wendy Rhoades, 512-974-7719. The ordinance may include entitlements triggered by actions on a nearby tract (Champion Tract 3), exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property.

QUESTION:

- 1. The Land Development Code 3.1.2 "Substantial Amendment" section describes a finite list of criteria for what is a substantial amendment to a PUD; which criteria did staff use to establish Camelback PUD as an amendment to the previous Hidden Valley PUD?
- 2. The Camelback PUD proposes to alter the boundaries of the Hidden Valley PUD; is there a code reference allowing a change to PUD boundaries as a "substantial amendment"; are there any precedents in which Council has approved a change in PUD boundaries as a "substantial amendment" to an existing PUD?
- 3. How many cluster docks or marinas on Lake Austin and the Colorado River within the boundaries of the City of Austin have been approved to have lift stations to serve bathrooms and/or kitchens; additionally, how many clubhouses on the lake/river have been approved to have lift stations with bathrooms and/or kitchens?
- 4. What is the width of a water/wastewater pipe to serve 2 bathrooms with 2 stalls/bathroom?
- 5. If the proposed cluster dock with the clubhouse and the tram and staircase are for private residential use only, how will this be enforced?
- 6. What is the height and length of the netting system at the base of the cliff that is proposed to catch any limestone "calving" from above?
- 7. How many trams has the City of Austin approved since 2014? Please list them, and describe the general size of the tram systems that have been approved, i.e., how many tram cars per system, what is the general width of the tram cars?
- 8. What is the required width of staircases that have been approved to have access to cluster docks? COUNCIL MEMBER POOL'S OFFICE

ANSWER:

1. The Land Development Code 3.1.2 "Substantial Amendment" section describes a finite list of criteria for what is a substantial amendment to a PUD; which criteria did staff use to establish Camelback PUD as an amendment to the

previous Hidden Valley PUD?

Staff used Section 3.1.2 that addresses: the addition of a land use that is more intense (A); amending a site development regulation (B); and amending a condition of a the PUD zoning district (D). A change in boundary is not listed in Section 3.1.2, but constitutes a substantial amendment.

2. The Camelback PUD proposes to alter the boundaries of the Hidden Valley PUD; is there a code reference allowing a change to PUD boundaries as a "substantial amendment"; are there any precedents in which Council has approved a change in PUD boundaries as a "substantial amendment" to an existing PUD?

There is not a specific Code section that addresses the addition of land to a PUD. However, there is an amendment to Goodnight Ranch PUD currently in process that adds 6+ acres; Pioneer Crossing PUD in northeast Austin added 100+ acres in 2004-05. Both are considered substantial amendments which require public review.

3. How many cluster docks or marinas on Lake Austin and the Colorado River within the boundaries of the City of Austin have been approved to have lift stations to serve bathrooms and/or kitchens; additionally, how many clubhouses on the lake/river have been approved to have lift stations with bathrooms and/or kitchens?

Staff is aware that the Austin Country Club connects to a 12 inch public lift station. Staff is not aware of which cluster docks/marinas have lift stations but will provide follow up on this question. Below is a list of cluster docks/marinas:

Marina/Cluster Dock	Number of Slips
Lake Austin Marina	168
Oyster Landing Marina	100
Waterfront Marina Condominiums cluster docks	77
Ski Shores Marina	54
Westlake Beach Marina	45
Orleans Harbor cluster dock	33
Davenport Ranch cluster docks	30
Spritehaven cluster dock	28
West Harbor Marina	26
West Rim HoA cluster dock	24
River Bend Marina (at River Bend)	23
Laguna Loma cluster dock	20
Precipice Cove cluster dock	16
Sleepy Hollow neighborhood cluster dock	16
Panorama Harbor cluster dock	16

4. What is the width of a water/wastewater pipe to serve 2 bathrooms with 2 stalls/bathroom?

The Applicant's preliminary response to Staff is that the water line will be 8 inches to support fire flow and 4 inches for domestic service. Wastewater service is likely to be a 2-inch line in a 12 inch carrier pipe.

5. If the proposed cluster dock with the clubhouse and the tram and staircase are for private residential use only, how will this be enforced?

The Applicant intends to limit public access through physical restrictions with locks, gates, surveillance and personnel (subject to emergency access needs such as Knox Box).

6. What is the height and length of the netting system at the base of the cliff that is proposed to catch any limestone "calving" from above?

The Applicant's response to Staff is that the height and length of the netting system will be determined after consultation with experts engaged in design and construction of such system.

7. How many trams has the City of Austin approved since 2014? Please list them, and describe the general size of the tram systems that have been approved, i.e., how many tram cars per system, what is the general width of the tram cars?

There have been four tram permits approved by the City since 2014:

- 1. SP-2014-0144D APPROVED (Issued May 11, 2015)
- 2. SP-2014-0135D APPROVED (Issued June 9, 2015)
- 3. SP-2017-0119D APPROVED (Issued May 3, 2018)
- 4. SP-2018-0069D APPROVED (Issued Sept 10, 2018)

Tram carriage dimensions are not required at site plan, so that information is not available. However, the typical Lake Austin tram is single car and single track. Staff estimates that typical carriages are approximately four feet by six feet and can carry four to five individuals with a typical carrying capacity being about 860 pounds.

8. What is the required width of staircases that have been approved to have access to cluster docks? The stair width is in direct correlation to the occupant load. If the occupant load is 49 or less, the minimum stair width allowed is 36 inches. If the occupant load is 50 or more, the minimum required stair width is 44 inches. The required stair width needs to widen as the occupant load increases.

The Applicant notes that a 4-foot wide stair width with handrails on each side is required by the International Building Code. For the inclined elevator safety egress, the Applicant has proposed an additional 2 feet on either side of the central staircase, bringing the total width to 8 feet.

QUESTION/ANSWER: See attachment.



Council Question and Answer

Related To	Item #55	Meeting Date	November 1, 2018
------------	----------	--------------	------------------

Additional Answer Information

C14-86-023.01 - Camelback PUD - District 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6507 Bridge Point Parkway (Coldwater Creek Watershed, Lake Austin Watershed). Applicant's Request: To rezone from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change conditions of zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning with conditions. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Owner/Applicant: Loop 360 Land LP (Jonathan Coon). Agent: McClean & Howard, L.L.P. (Jeffrey S. Howard). City Staff: Wendy Rhoades, 512-974-7719. The ordinance may include entitlements triggered by actions on a nearby tract (Champion Tract 3), exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property.

QUESTION/ANSWER: MAYOR PRO TEM TOVO'S OFFICE

As this site includes a portion of land (the Eagle Ridge Court area) once included within the Coldwater PUD,

- 1. Please provide the following information:
- The original preliminary plan for case C814-84-020, as well as any subsequent revisions.

 Please see attached Original preliminary plan (which were sheets 1, 2, 3, and 11 of the original PUD plan). Also attached is Update No. 1 (approved 9/24/87) which replaced sheets 2 of 11, 3 of 11 and 11 of 11
- The history of disannexation and re-annexations as well as the documents pertaining to these actions.

 The Coldwater PUD area was dis-annexed in 1989 and re-annexed in 2014 with I-RR and I-LA zonings. Below is the annexation/disannexation history, including hyperlinks to the Ordinances.

Case name	Case number	Ordinance No. & link	Effective Date
	C7AD-89-		
DISANNEXATION TO THE PROVISIONS OF SB 962	188	<u>890921-G</u>	9/21/1989
LAKE AUSTIN SHORELINE	C7A-82-002	820506-D	5/6/1982
LOOP 360 LAKESHORE (CONV. TO FULL 12/31/88)	C7A-82-001	820701-G	7/1/1982
	C7A-85-		
NW AREA: TRACT II (11,155.20 ACRES)	034ba	<u>851219-P</u>	11/15/1985
LOOP 360 AND BULL CREEK	C7A-88-002	<u>881215-A</u>	12/31/1988
COLDWATER AREA	C7A-04-020	041118-14	12/31/2004
	C7A-2014-		
BRIDGE POINT PARKWAY	0002	20141120-122	12/17/2014

2. Do restrictive covenants remain in effect if a property is disannexed?

Yes, recorded Restrictive Covenants run with the Property and therefore, continue to apply regardless of annexation status.

3. The restrictive covenant for Coldwater PUD stipulates that the entitlements are contingent on the "final plat" being in general conformity with the approved site plan. Was a final plat submitted for that project?

A final plat out of the preliminary plan was submitted and approved by the Planning Commission.

4. Since Coldwater PUD was de-annexed, didn't it lose zoning and associated entitlements? If that assumption is correct, how can impervious cover entitlements from the Eagle Ridge Court area be transferred to the Camelback PUD?

The Coldwater PUD was dis-annexed and subsequently reverted to unzoned property. However, the Restrictive Covenant provisions remain valid because it is a recorded document at Travis County that runs with the property, regardless of zoning.

- 5. The minutes for the previous zoning case (for Hidden Valley PUD, comprising most of what is now known as the Camelback PUD) indicate that the Comprehensive Watershed Ordinance waivers and the cut and fill allowances were granted of because of the low intensity design of the 64 single family homes. Is that accurate?

 Yes, that's accurate.
- 6. What were the total impervious cover limits allocated for the single family residential development in the Hidden Valley PUD?

The impervious cover for the single family residential development approved with the Hidden Valley PUD was 16.92 acres.

7. Please provide the rationale for the requested code modification to allow the Camelback PUD site plan to remain valid for seven years.

At the October 2nd Zoning and Platting Commission meeting, the code modification extending the life of subdivision and site plan was revised from seven years to five years. The rationale is that a site plan remains valid for three years, and allows for two (2) one year extensions if requested by the Applicant. The regular site plan life, plus two (2) one year extensions adds up to five years.

8. It's my understanding that this PUD has been filed as an amendment to the Hidden Valley PUD rather than as a new PUD application. Please provide prior examples when new and very different projects were reviewed as amendments rather than required to file new applications.

There is a second amendment to Goodnight Ranch PUD currently in process that adds 6+ acres; Pioneer Crossing PUD in northeast Austin added 113+ acres in 2004-05. Both PUD amendments were considered substantial amendments and required public review.

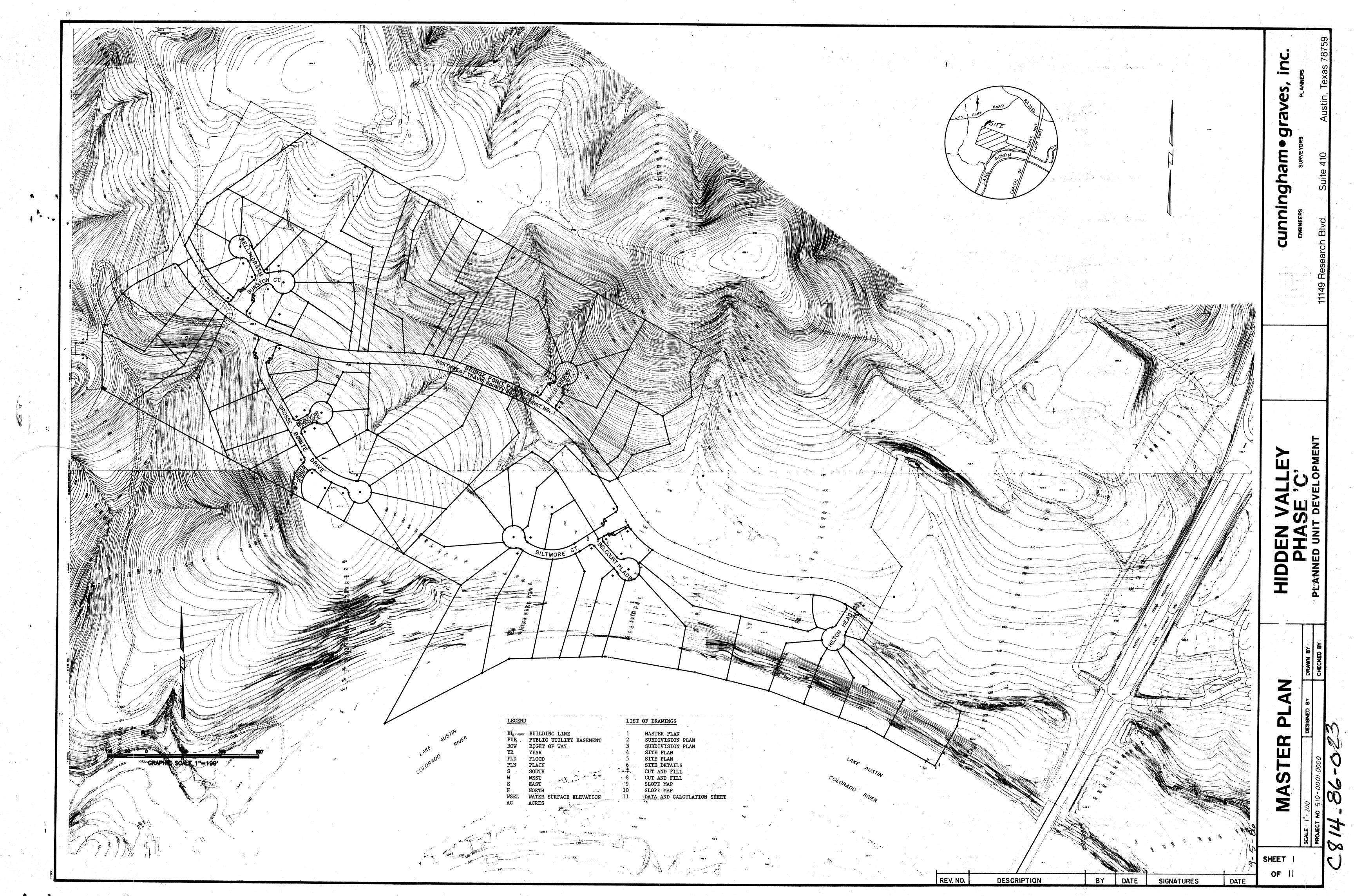
If the fees vary, please also provide a comparison of the PUD fees that are being assessed for this amendment versus the fees required for a new application.

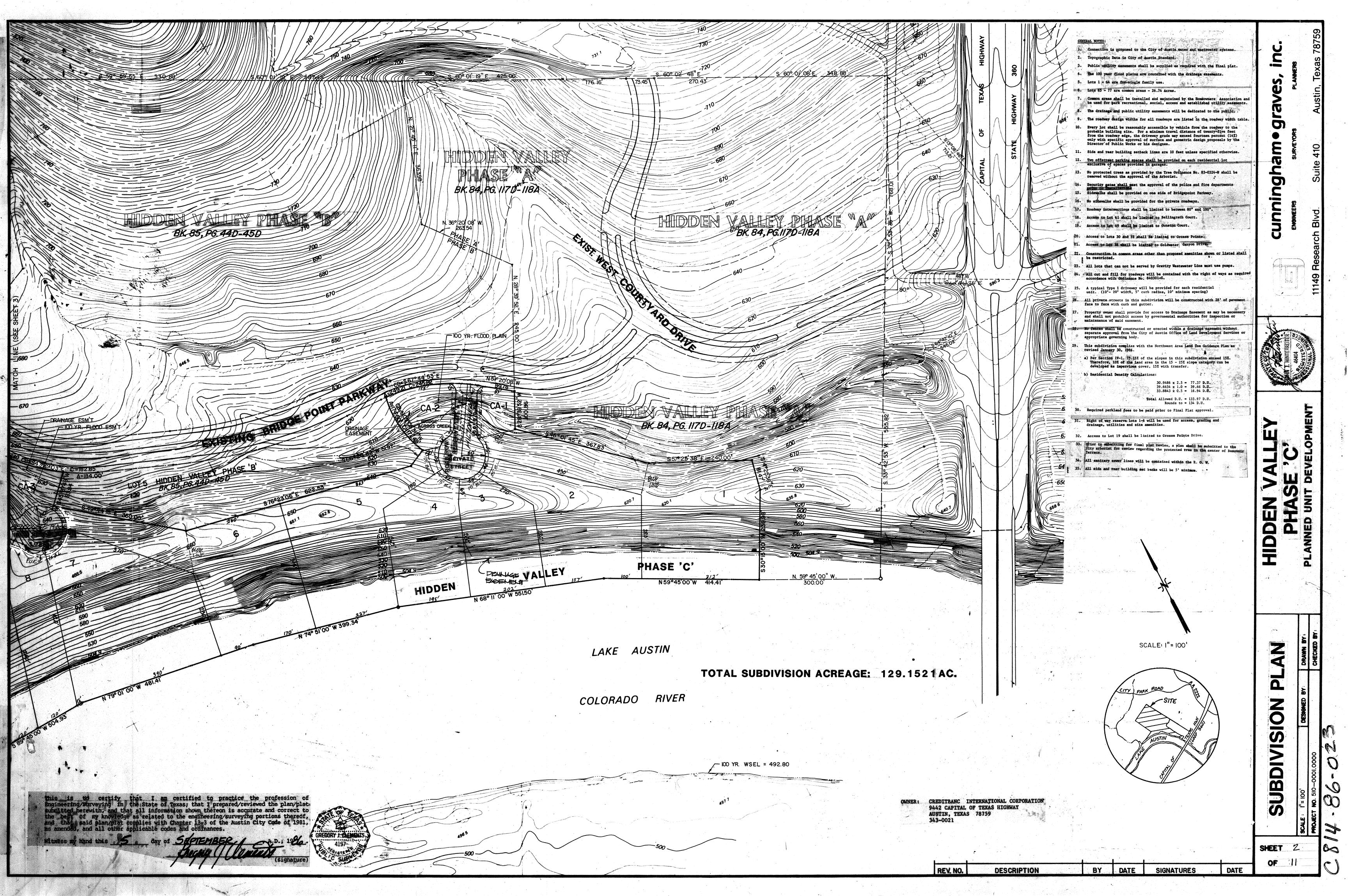
This PUD amendment was assessed a review fee of \$9,474.40.

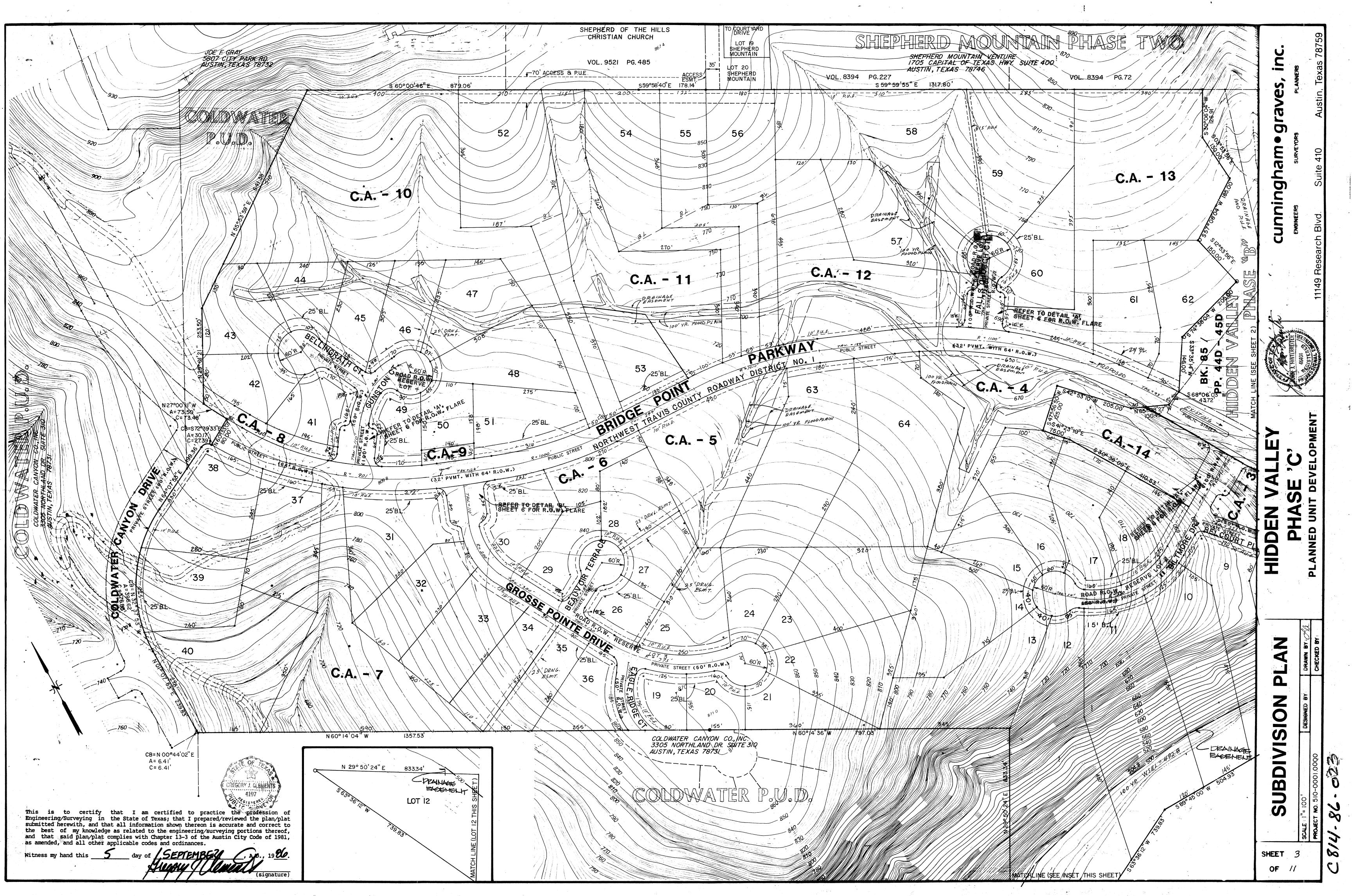
The Goodnight Ranch -2^{nd} Amendment is a SMART Housing case and therefore, is not assessed any fees. Pioneer Crossing PUD Amendment #4 was assessed a review fee of \$3,455.00.

9. Ordinance **20140626-113** made explicit that mechanized access along Lake Austin is not permitted without a variance from the Board of Adjustent. Please provide a list of all variance requests and determinations for mechanized access since passage of Ordinance **20140626-113**.

No tram permits have been issued for applications subject to the referenced 2014 ordinance. Any permits for trams issued after June 2014 were for applications in progress prior to the adoption of the 2014 ordinance.







LAKE AUSTIN WATERSHED

UBDIVISION: Hidden Valley Phase "C" - 129.1521 - 4.632(WATER) = 124.5201 Ac

PROPOSED IMPERVIOUS COVERAGE	SLOPES 0-15% ACRES IMPERVIOUS COVERAGE	STOPES 15-25% ACRES IMPERVIOUS COVERAGE	SLOPES 25-35% ACRES IMPERVIOUS COVERAGE	SLOPES OVER 35% ACRES IMPERVIOUS COVERAGE
Roadways	2.5735	2.0575	0.2991	0.0034
Driveway Approaches				
Commercial Areas a) Estm. Off Street Parking b) Structures c) Other	b) 3.3390	b) 1.1375		
Residential Areas Estm. Avg. Dwelling Size Including Carages & Drives				
Tennis Courts and Other Recreational Areas				
Total Impervious Areas Each Slope Class	5.9125	3.1950	0.2991	0.0034
Total Area of Each Slope Class	30.9485	39.6654	33.8843	20.0219
Percent Impervious Area Each Slope Class Item 6 100 X Item 7	19.10%	8.05%	0.88%	•
Max. Allowable Impervious Area	35%	10%	5%	

Impervious Cover Slopes 0-25% = 12.89%

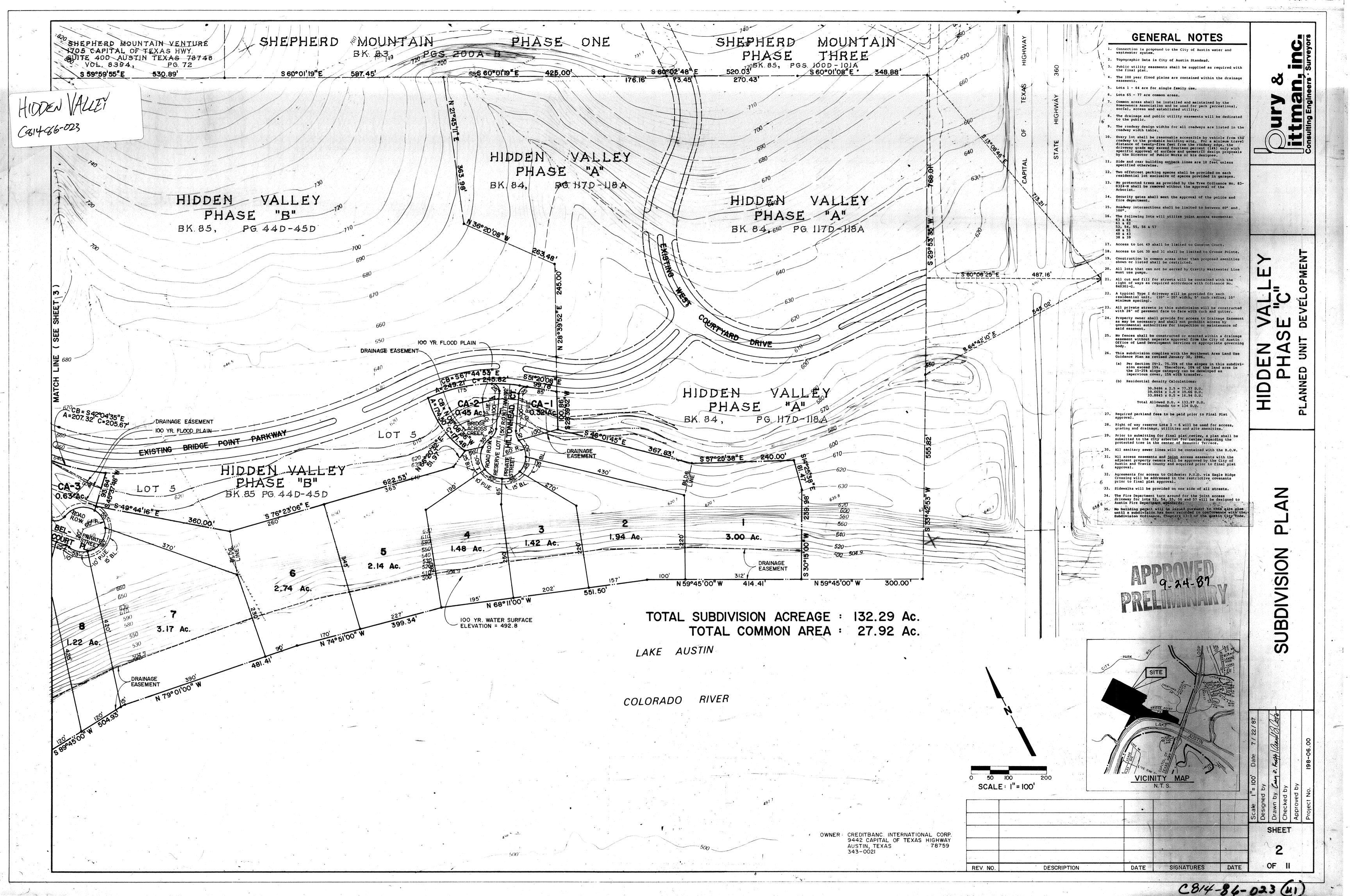
Total Site Impervious Cover = 7.55%

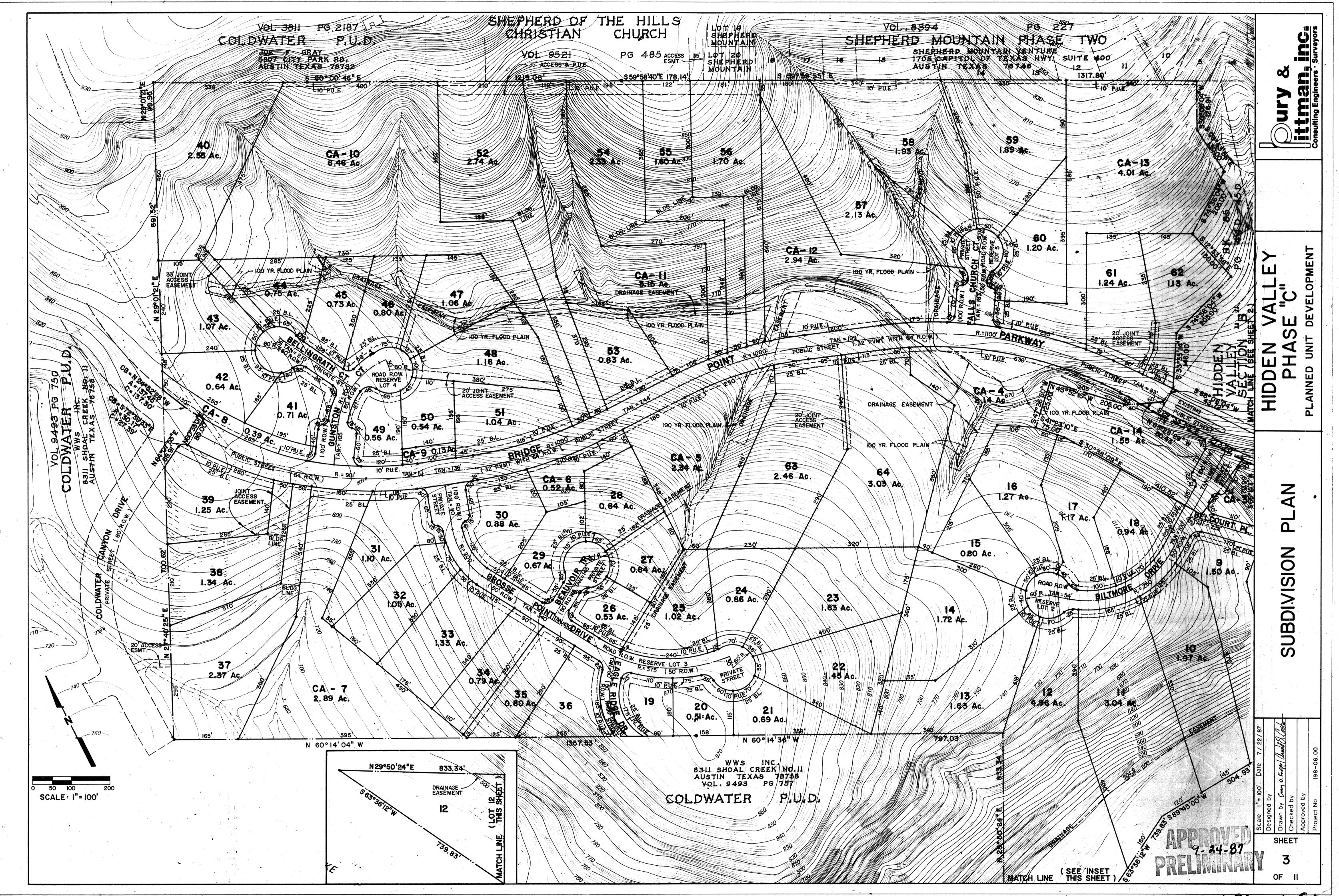
OTPER WIDTH TABLE

BRIDGE FOILT PARKWAY (PLIBLK) 32' W/CHRB: GUTTER (A' ALTERNATE LIRBAN ALL CUL. DE GA (PRIVATE) 28' W/CHRB: GUTTER 50' AUTERNATE LIRBAN	OTPEET NAME	PAVEMENT WIDTH	RIGHT OF WAY WOTH	STREET STANDARD
	BRIDGE POINT PARKWAY (PUBLK)	32' W/CHPB'SGUTTER	64'	ALTERNATE LIPBAN
		28'W/CURB; GLITTER	50'	ALTERNATE HPRAN

DESCRIPTION BY DATE SIGNATURES DATE

OF II





LAKE AUSTIN WATERSHED IMPERVIOUS COVER DATA

SUBDIVISION : HIDDEN VALLEY PHASE "C" - 132.2900 - 4.632 (WATER) = 127.6580 AC.

ITEM	PROPOSED IMPERVIOUS COVERAGE	SLOPES 0-15 % ACRES IMPERVIOUS COVERAGE	SLOPES 15-25% ACRES IMPERVIOUS COVERAGE	SLOPES 25-35% ACRES IMPERVIOUS COVERAGE	SLOPES OVER 35 % ACRES IMPERVIOUS COVERAGE
Ι.	ROADWAYS	2 5735	2.0575	0.2991	0.0034
2.	DRIVEWAY APPROACHES				
3.	COMMERCIAL AREAS A) ESTM OFF STREET PARKING B) STRUCTURES C) OTHER	B) 3.3390	B) 1.1375	en de la companya de	
4.	RESIDENCIAL AREAS ESTM. AVG. DWELLING SIZE INCLUDING GARAGES & DRIVES				
5.	TENNIS COURTS AND OTHER RECREATIONAL AREAS				
6.	TOTAL IMPERVIOUS AREAS EACH SLOPE CLASS	5.9125	3.1950	0.2991	0.0034
7.	TOTAL AREA OF EACH SLOPE CLASS	31 6867	40.8406	34.9435	20.1871
8.	PERCENT IMPERVIOUS AREA EACH SLOPE CLASS ITEM 6 IOO X ITEM 7	18 . 66 %	7.82 %	0.86 %	
9.	MAX. ALLOWABLE IMPERVIOUS AREA	35 %	10 %	5 %	

IMPERVIOUS COVER SLOPES, 0-25% = 9.1075 ACRES = 12.56%

TOTAL SITE IMPERVIOUS COVER

= 9.4100 ACRES = 7.37 %

NOTE: IMPERVIOUS COVER CALCULATIONS PROVIDED BY CUNNINGHAM GRAVES, INC. REVISED IMPERVIOUS COVER CALCULATIONS BASED ON IMPERVIOUS COVER CALCULATIONS PROVIDED BY CUNNINGHAM GRAVES AND ADJUSTED TOTAL SITE AREA DUE TO BOUNDARY ADJUSTMENTS AT THE WEST PROPERTY LINE BY BURY & PITTMAN, INC.

STREET WIDTH TABLE

STREET NAME	PAVEMENT WIDTH	RIGHT OF WAY WIDTH	STREET STANDARD
BRIDGE POINT PARKWAY (PUBLIC)	32' W/CURB & GUTTER	64'	ALTERNATE URBAN
ALL CUL-DE-SAC (PRIVATE)	28' W / CURB & GUTTER	50'	ALTERNATE URBAN

9-24-87

HIDDEN VALLE PHASE "C"

DATA AND SALCULATIONS SHEET

Scale NO SCALE Date 7/29/87

Designed by

Checked by

Approved by:

Droiset No. 198-06 00