

# USTIN CITY COUNCIL AGENDA

**THURSDAY, NOVEMBER 04, 2004, THE BOARD ROOM AT THE LOWER COLORADO RIVER AUTHORITY HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD, AUSTIN, TEXAS.**



**AUGUST CITY CLERK**  
**OSCAR CRYSTINE**

04 OCT 29 PM 1:36

**For meeting information, contact the City Clerk, 974-2210**

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WILL WYNN, MAYOR ♦ JACKIE GOODMAN, MAYOR PRO TEM ♦ DARYL SLUSHER  
RAUL ALVAREZ ♦ BETTY DUNKERLEY ♦ BREWSTER MCCrackEN ♦ DANNY THOMAS

**NOTICE OF REGULAR MEETING  
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**9:55 A.M. Invocation**

**10:00 A.M. City Council Convenes**

**THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS WILL CONVENE AT 10:00 AM ON THURSDAY, NOVEMBER 04, 2004, IN THE BOARD ROOM AT**

**THE LOWER COLORADO RIVER AUTHORITY HANCOCK BUILDING, 3700 LAKE AUSTIN BOULEVARD, AUSTIN, TEXAS.**

**The City Council will go into a closed session under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, to discuss or take action on a "competitive matter" of the Electric Utility Department as provided for under Section 551.086, or for other reasons permitted by law as specifically listed on this agenda. If necessary, the City Council may go into a closed session as permitted by law regarding any item on this agenda.**

**READING AND ACTION ON CONSENT AGENDA**

**ACTION ON THE FOLLOWING:**

**ORDINANCES / RESOLUTIONS / MOTIONS - All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

**Meeting Minutes**

1. Approval of minutes from the meeting of October 28, 2004.

**Austin Energy**

2. Authorize negotiation and execution of Change Order No. 1 to the contract with BURNS & MCDONNELL ENGINEERING CO., INC., Kansas City, MO, for a performance and payment bond in an amount not to exceed \$49,651 for the Building Combined Heat & Power (cogeneration) project located at the Domain Business Park for a revised total contract amount not to exceed \$5,392,651 (Funding in the amount of \$49,651 is available in the 2004-2005 Approved Capital Budget of Austin Energy.) (Recommended by the Electric Utility Commission.)

3. Approve reimbursement of costs to Tribble & Stephens Co. AMLI DOWNTOWN AUSTIN, L.P., 201 Lavaca Street, Austin, 78701, Block 20, for the purchase and installation of heat exchanger(s) and required piping as needed to interconnect AMLI Residential/Retail building to the Austin Energy district cooling system in an amount not to exceed \$88,275. (Funding in the amount of \$88,275 is available in the Fiscal Year 2004-2005 Approved Capital Budget of Austin Energy.) (Recommended by Electric Utility Commission)
4. Approve an ordinance authorizing acceptance of \$17,500 in grant funds from the United States Department of Energy Clean Cities Program through the Texas State Energy Conservation Office; and amending the Fiscal Year 2004-2005 Electric Utility Department Operating Budget of Ordinance No. 040913-01 to appropriate \$17,500 in grant funds for a total grant amount of \$82,500 for the purpose of continuing the City's involvement in the Clean Cities Program through August 31, 2005 and to appropriate Program Income in the amount of \$20,000 donated by Clean Cities participants for administration of the Central Texas Clean Cities Program for a total program income of \$44,000. (Funding in the amount of \$17,500 is available from the U.S. Department of Energy through the Texas State Energy Conservation Office. The grant period is September 1, 2004 to August 31, 2005. A City match is not required.) (Recommended by the Electric Utility Commission.) (Related Item 5)
5. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the State of Texas Energy Conservation Office to continue the City's involvement in the Clean Cities Program from September 1, 2004 through August 31, 2005 in an amount not to exceed \$17,500. (Funding in the amount of \$17,500 in grant funds is available from the State of Texas Energy Conservation Office. A City match is not required.) (Recommended by the Electric Utility Commission.) (Related Item 4)

#### **Economic Growth and Redevelopment Services**

6. Approve an Ordinance setting the assessment rate and proposed 2005 assessment roll for the East Sixth Street Public Improvement District (PID). (The 2005 assessment rate of \$0.10/\$100 valuation is estimated to produce \$37,231 at a 96% collection rate.) (Related Items 7, 26)

7. Approve a resolution adopting the East Sixth Street Public Improvement District (PID) Service Plan and Budget for 2005. (The City Council approved a preliminary 2005 budget for the PID in the amount of \$125,304. Revenue in the amount of \$129,304 will supply the \$125,304 budget plus a \$4,000 reserve. Funding in the amount of \$43,500 is included in Austin Energy's Fiscal Year 2004-2005 Approved Operating Budget as part of the City of Austin's (Austin Energy) annual contribution. \$37,231 is anticipated in 2005 assessments (at a 96% collection rate). \$48,573 will be provided by donations raised by the management contractor. \$4,000 will be retained as a reserve fund to cover revenue adjustments to the assessment roll.) (Related Items 6, 26)

#### **Financial and Administrative Services**

8. Authorize negotiation and execution of a contract with Red Oak Consulting, a division of Malcolm Pirnie, Austin, Texas for professional services related to Phase 1 and Phase 2 of the citywide eCOMBS implementation and redesign and modifications to eCAPRIS in an amount not to exceed \$600,000. (Funding in the amount of \$600,000 is available in the Fiscal Year 2004-2005 Capital Budget of the Financial and Administrative Services Department.) Sole Source.

#### **Financial and Administrative Services - Telecommunications and Regulatory Affairs**

9. Consider a resolution authorizing the City Manager to approve or deny a surcharge application filed by Texas Gas Service (TGS) to recover utility relocation costs.
10. Approve an ordinance on second reading, amending Ordinance No. 000420-28, a franchise permitting the delivery of cable services granted to Grande Communications, Inc. that: extends the deadline for completing the City-wide build-out of facilities by sixty (60) months; extends the initial term of the franchise by one year; and reduces by one year the franchise extension term. (Approved by the Council Committee for Telecommunications Infrastructure.)

#### **Management Services**

11. Consider the City Council meeting schedule for the calendar year 2005.

**Management Services - Office of Emergency Management**

12. Authorize an Ordinance accepting grant funds from the United States Department of Homeland Security, Metro Medical Response System Program in the amount of \$400,000, for the enhancement of local medical and health care capabilities for terrorist incidents; and amending the Fiscal Year 2004-05 Office of Emergency Management Operating Budget Special Revenue Fund of Ordinance No. 040913-01, to appropriate \$400,000 in grant funds and to create 1.3 full-time equivalent positions. (Funding in the amount of \$400,000 is available in the U.S. Department of Homeland Security.)

**Parks and Recreation**

13. Approve a resolution to approve a lease with the Zachary Scott Theatre Center, Inc. to allow space for future expansion at 1510 Toomey Road, Austin, Texas. (Recommended by the Parks and Recreation Board)

**Public Works**

14. Authorize execution of change order # 5 to the construction contract with SCS FIELD SERVICES, Reston, VA, for the FM 812 Landfill Gas Collection System Project in the amount of \$44,036.77, for a total contract amount not to exceed \$1,166,834.77. (Funding in the amount of \$44,036.77 is available in Fiscal Year 2004-2005 Approved Capital Budget of the Austin Energy Department.) 9.58% MBE and 5.06% WBE subcontractor participation to date. (Recommended by the Solid Waste Services Commission.)
15. Authorize execution of a construction contract with LAUGHLIN-THYSSEN, LTD., Houston, TX for the Austin Clean Water Program Upper Tannehill - Broadmoor & Cameron Wastewater Improvements Project in the amount of \$5,538,058 plus a \$553,805.80 contingency, for a total contract amount not to exceed \$6,091,863. (Funding in the amount of \$6,091,863 is included in the Fiscal Year 2004-2005 Capital Budget of the Austin Water Utility.) Lowest bid of three received. 13.6% MBE and 8.6% WBE subcontractor participation.

**Purchasing**

16. Authorize negotiation and execution of an amendment to contracts with THOMAS & BETTS, Houston, TX; SABRE TUBULAR PRODUCTS, Ft. Worth, TX; VALMONT INDUSTRIES, Inc. c/o PREFERRED SALES AGENCY, Carthage, TX; and TEXAS METAL TECHNOLOGIES, Corsicana, TX, to contractually modify the current pricing structure for goods manufactured from steel to allow price surcharges due to prevailing market conditions. (Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of Austin Energy.) These contracts were awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
17. Authorize negotiation and execution of a 10-month Interlocal Agreement with TRAVIS COUNTY, for weatherization services for the economically disadvantaged in an amount not to exceed \$260,000, with the two 12-month extension options, in an amount not to exceed \$260,000 per extension option, for a total contract amount not to exceed \$780,000. (Funding in the amount of \$260,000 is available in the Fiscal Year 2004-2005 Approved Operating Budget of Austin Energy, Conservation and Rebates and Incentives Fund. Funding for extension options is contingent upon available funding in future budgets.)
18. Authorize negotiation and execution of a contract with TEGRON, INCORPORATED, Austin, TX, for purchase and installation of an analog data acquisition system on Unit #2 at the Decker Creek Power Station in an amount not to exceed \$322,595. (Funding is available in the Fiscal Year 2004-2005 Approved Capital Budget of Austin Energy.) Best evaluated proposal of 2 proposals received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
19. Authorize execution of 12-month supply agreement with VWR SCIENTIFIC PRODUCTS, Suwanee, GA, for laboratory chemicals for the Austin Water Utility in an amount not to exceed \$60,000, with two 12-month extension options in an amount not to exceed \$60,000 per extension option, for a total agreement amount not to exceed \$180,000. (Funding in the amount of \$55,000 is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Austin Water Utility. Funding for the remaining month of the initial contract period and extension options is contingent upon available funding in future budgets.) Lowest bid of four bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

**Watershed Protection and Development Review**

20. Authorize the City Manager to apply for a \$200,000 Brownfields Assessment Community-Wide Hazardous grant offered by the U.S. Environmental Protection Agency. (Funding in the amount of \$200,000 from U.S. Environmental Protection Agency over two years beginning Fiscal Year 2005. )
21. Authorize the City Manager to apply for a \$200,000 Brownfields Assessment Community-Wide Petroleum grant offered by the U.S. Environmental Protection Agency. (Funding in the amount of \$200,000 from U.S. Environmental Protection Agency over two years beginning Fiscal Year 2005.)
22. Amend the Fiscal Year 2004-2005 Watershed Protection and Development Review Department Fee Schedule of Ordinance No. 040913-05, in accordance with Amendment Three to the City of Austin and Travis County Agreement on Subdivision Platting in the Extraterritorial Jurisdiction.

**ITEMS FROM COUNCIL**

23. Board and Commission appointments.
24. Authorize waiver and reimbursement of certain fees for the Texas Book Festival held October 28 through November 1, 2004. (Mayor Will Wynn, Council Member Danny Thomas and Council Member Brewster McCracken)
25. Approve a resolution directing the City Manager to initiate changes to the City Code for Zoning and the Neighborhood Planning Process. (Mayor Pro Tem Jackie Goodman and Council Member Raul Alvarez)

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

26. Set a public hearing on the East Sixth Street Public Improvement District (PID) 2005 assessments. (Suggested date and time: December 2, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building) (Related Items 6, 7)
27. Set a public hearing to approve an ordinance amending Sections 25-2-511, 25-2-774, and 25-2-1463 of the City Code relating to dwelling unit occupancy limits, two-family residential uses, and secondary apartment special uses. (Suggested date and time: November 18, 2004 at 6:00 p.m.) (Recommended by Planning Commission.)



28. Set a public hearing to consider an ordinance waiving the development regulations of Ordinance No. 040624-52 to allow the construction of a two-family residential use at 2302 Arpdale Street. Ordinance No. 040624-52 established interim development regulations prohibiting the issuance of a building permit for the construction of a high occupancy two-family residential use or secondary apartment special use. (Suggested date and time: November 18, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building).
29. Set a public hearing to receive comment regarding a proposed ordinance to amend Chapter 25-2 of the City Code to permit additional residential uses in a Mixed Use Combining District, including single-family attached residential, small lot single-family residential and two-family residential, urban home special uses, cottage special uses and secondary apartment special uses, to permit small lot single-family residential use in SF-4, SF-5 and SF-6 districts, to require that single-family residential uses in multi-family districts comply with SF-3 regulations, and to provide development standards for small lot single-family residential uses; and repealing Section 25-2-557 and 25-2-558 (M) of the City Code. (Suggested date and time: November 18, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building.) (Recommended by the Codes and Ordinance Subcommittee of the Planning Commission. Hearing conducted before the Planning Commission, will make recommendations on November 9, 2004.)
30. Set a public hearing to consider an ordinance creating a reinvestment zone under Chapter 311, Texas Tax Code (the Tax Increment Financing Act) for Mueller (formerly known as the Robert Mueller Municipal Airport). (Suggested date and time: December 2, 2004, at 6:00 P.M., Lower Colorado River Authority, Hancock Building).
31. Set a public hearing to receive comment regarding approval of the Master Development Agreement between the City of Austin and Catellus Austin, L.L.C. related to Mueller (formerly known as the Robert Mueller Municipal Airport) and associated documents, including necessary ordinances and resolutions. (Suggested date and time: November 18, 2004 at 6:00 p.m.)

**12:00 P.M. CITIZEN COMMUNICATIONS: GENERAL**

Mrs. Phillip A. Dick - Experience I am going through with Racial Profiling

Icy Watt - Austin Housing Authority

Jennifer McPhail - Accessibility of Polling Places for May Election

Felix Briones Jr. - Accessibility at Polling Places for May Election

Albert "Sparky" Metz - Polling Accessibility for May Election

Akwasi Evans - Economic Disparity

William David Plasky - Flagrant disregard of patient (self) unable to speak above whisper, by John Gilvar, Director of Health Clinic at A.R.C.H.. Attempt by patient to signal distress by stamping foot 3 times taken as belligerence. Treatment Refused.

Pat Johnson - Guess What!

Sid Galindo - Downtown Issues

John Nyfeler - Downtown Issues

**EXECUTIVE SESSION (No Public Discussion On These Items)****Private Consultation with Attorney - Section 551.071**

32. Discuss legal issues concerning relocation of wastewater line in the 1600 block of Watch Hill Road, Austin, Texas. (Related Item 37)
33. Discuss legal issues regarding the terms of a lease, irrigation, and maintenance agreement assumed by the City of Austin between Northwest Travis County Municipal Utility District No. 2, Balcones Country Club Membership Association, Inc., and Technology Hydraulics, Inc.
34. Discuss legal issues concerning the proposed Second Amended and Restated Lease Agreement with the Greater Austin Performing Arts Center, Inc. d/b/a The Long Center on the new performing arts center known as the Long Center.

35. Discuss legal issues regarding anticipated legislation issues in the Texas 79<sup>th</sup> Legislative Session that affects the City of Austin.

**Real Property - Section 551.072**

36. Discuss terms of sale for the Mueller site (formerly Robert Mueller Municipal Airport) to Catellus Austin, L.L.C.

**Action on Executive Session**

37. Approve negotiation and execution of a settlement regarding cost reimbursement for construction of sewer service laterals for 1606, 1610, and 1612 Watch Hill Road, Austin, Texas.(Related Item 32)

**2:00 PM BRIEFINGS**

38. Briefing on Quality of Life Ordinances.

**3:00 P.M. BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.** The Mayor will recess the City Council meeting. A Board meeting of Austin Housing Finance Corporation (AHFC) will be conducted. The AHFC Board may go into a closed session on any item on the AHFC agenda under Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, to discuss personnel matters, or for other reasons permitted by law as specifically listed on this agenda. Following adjournment of the AHFC Board meeting the City Council will re-convene.

- AHFC- 1 Approve the minutes of the September 30, 2004 Board meeting of the Austin Housing Finance Corporation.

- AHFC- 2      Approve a resolution authorizing assignment by Campbell-Hogue & Associates, Inc. to the Corporation of the purchase contract for a 6.087 acre tract of land on the south side of the 1900 block of East Sixth Street (Land); purchase of the Land in an amount not to exceed \$1,950,000 plus transfer costs; imposition of various easements, restrictive covenants and license agreements on the Land; execution of a 50-year lease agreement with the Villas on Sixth Housing Associates Limited Partnership, a Texas limited partnership, (Limited Partnership) with annual lease payments not less than \$28,131 contingent on construction of a 160-unit multi-family low-income housing tax credit apartment complex on the Land; execution of a fee sharing agreement with CHA Limited Partnership, a Texas limited partnership, to pay the Corporation 25% of any developer fee paid by the Limited Partnership; and execution of an agreement with Villas on Sixth Non-Profit Corporation (General Partner) to provide administrative staff support and asset management services to assist the General Partner with its obligations as the general partner of the Limited Partnership. (\$500,000 in funding is available in the Fiscal Year 2004-2005 Austin Housing Finance Corporation Housing Trust Fund, Rental Housing Development Assistance Program budget, and \$1,500,000 from the sale of a leasehold estate.)

**4:00 P.M. ZONING HEARINGS AND APPROVAL OF ORDINANCES AND RESTRICTIVE COVENANTS**

**Zoning Ordinances / Restrictive Covenants**

39.      C14-04-0122 - Tuttle - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1111 West 7<sup>th</sup> Street (Town Lake Watershed) from multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning for Tract 1 and urban family residence-neighborhood plan (SF-5-NP) combining district zoning for tract 2. First reading on October 21, 2004. Vote: 7-0. Conditions met as follows: No conditions were imposed on first reading. Applicant: Tyson Tuttle. Agent: Crocker Consultants (Sarah Crocker). City Staff: Glenn Rhoades, 974-2775.

40. C14-04-0117 - 509 Radam Lane - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 509 Radam Lane (Williamson Creek Watershed) from family residence (SF-3) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First Reading on October 21, 2004. Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first ordinance reading. Applicant: Mark A. Macaulay. Agent: Lenworth Consulting (Nash Gonzales). City Staff: Wendy Walsh, 974-7719.
41. C14-04-0137 - Estates at Canyon Creek - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9501 R.M. 620 North (Bull Creek Watershed) from interim-rural residence (I-RR) district zoning to multifamily residence limited density-conditional overlay (MF-1-CO) combining district zoning. First reading on October 21, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by City Council at first ordinance reading. Applicant: Quality Close-Outs (Blake Robinson). Agent: Bury & Partners, Inc. (James B. Knight). City Staff: Sherri Gager, 974-3057.
42. C14-04-0099 - Zimmerman Zoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11108 Zimmerman Lane (Bull Creek Watershed) from development reserve (DR) district zoning to Townhouse & Condominium Residence-Conditional Overlay (SF-6-CO) combining district zoning. First reading on September 2, 2004. Vote: (7-0). Conditions met as follows: Conditional Overlay incorporates the conditions imposed by City Council at first ordinance reading. Applicant: Hamid Zarafshani. Agent: Crocker Consultants (Sarah Crocker). City Staff: Sherri Gager, 974-3057.
43. C14-04-0102 - Eskew Place Commercial - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3512-3610 South Lamar Boulevard (West Bouldin Creek and Barton Creek Watersheds-Barton Spring Zone) from single family residence standard lot (SF-2) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. First Reading on October 21, 2004. Vote: 7-0. Conditions met as follows: Conditional overlay incorporates the conditions imposed by Council at first ordinance reading. Applicant and Agent: Eskew Place Limited (Marcus Whitfield). City Staff: Wendy Walsh, 974-7719.

44. C814-01-0038.01 - Parmer/Walnut Creek PUD Amendment #1 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1310-1314 Block of West Parmer Lane (Walnut Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of the zoning ordinance. First reading on August 26, 2004. Vote: (7-0); Conditions met as follows: Ordinance incorporates the conditions imposed or accepted by City Council at first ordinance reading. Applicant: FSKMS Ranch Ltd. (John Scofield, Edgar and Linda Perry, Vernon Scofield, and Glen and Martha Chilek). Agent: Armbrust & Brown, L.L.P. (Richard T. Suttle, Jr.). City Staff: Sherri Gager, 974-3057.
45. C14-04-0012.003 - Brentwood/Highland Combined Neighborhood Plan rezoning (PART) - Approve first/second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6208 Burns Street (Waller Creek Watershed) from multi-family residence medium density-neighborhood plan (MF-3-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning & Zoning Department. City Staff: Greg Guernsey, 974-2387. Note: A valid petition has been filed in opposition to this rezoning request.
46. C14-04-0133 - Lamar Zoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 11800 North Lamar Boulevard (Walnut Creek Watershed) from development reserve (DR) district zoning and limited office (LO) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. First reading on October 21, 2004. Vote: 7-0. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by City Council at first ordinance reading. Applicant: Lamar Ventures Partnership, Ltd. Agent: Crocker Consultants (Sarah Crocker). City Staff: Sherri Gager, 974-3057. Note: A valid petition has been submitted in opposition to this rezoning request.
47. Consider recommendations regarding redevelopment in the Rainey Street Subdistrict of the Waterfront Overlay District, including initiation of appropriate amendments to City development regulations. (Public hearing held and closed on October 21, 2004.) (Reviewed by Design Commission, Downtown Commission, Historic Landmark Commission, Parks Board and Planning Commission; and Zoning and Platting Commission.) (Related Items Z-1, Z-2, Z-3, Z-4, Z-5, Z-6, Z-7, Z-8)

**Zoning Hearings and Approval of Ordinances / Restrictive Covenants**

- Z- 1            C14-04-0078 - Rainey Street Neighborhood Rezoning (Tract A) - Approve first reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by Cesar Chavez and Davis Street to the South, River Street to the North, and Red River and Rainey Streets to the West (Town Lake Watershed) from general commercial services (CS) district zoning, central business district-conditional overlay (CBD-CO) combining district zoning, multifamily residence medium density (MF-3) district zoning and family residence (SF-3) district zoning to central business district (CBD) district zoning. Zoning and Platting Commission Recommendation: To grant central business district-conditional overlay (CBD-CO) combining district zoning and community commercial-mix use (GR-MU) combining district zoning with conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775. (Continued from October 21, 2004. The public hearing was closed.) (Related Items 47, Z-2, Z-3, Z-4, Z-5, Z-6, Z-7, Z-8)
- Z- 2            C14-04-0079 - Rainey Street Neighborhood Rezoning (Tract B) - Approve first reading of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property bounded by Red River Street to the East, Davis Street to the North, Rainey Street to the West, and Driskill Street to the South (Town Lake Watershed) from general commercial services (CS) district zoning and family residence (SF-3) district zoning to central business district (CBD) district zoning. Zoning and Platting Commission Recommendation: To grant central business district-conditional overlay (CBD-CO) combining district zoning and community commercial-mixed use (GR-MU) combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775. (Continued from October 21, 2004. The public hearing was closed.) (Related Items 47, Z-1, Z-3, Z-4, Z-5, Z-6, Z-7, Z-8)

- Z- 3            C14-04-0080 - Rainey Street Neighborhood Rezoning (Tract C) - Approve first reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by Cesar Chavez to the North, Driskill Street to the South, Red River to the West and East Ave. (I.H. 35) to the East (Town Lake Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning and central business district-conditional overlay (CBD-CO) combining district zoning to central business district (CBD) district zoning. Zoning and Platting Commission Recommendation: To grant central business district-conditional overlay (CBD-CO) combining district zoning with conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775. (Continued from October 21, 2004. The public hearing was closed.) (Related Items 47, Z-1, Z-2, Z-4, Z-5, Z-6, Z-7, Z-8)
- Z- 4            C14-04-0081 - Rainey Street Neighborhood Rezoning (Tract D) - Approve first reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by Driskill Street to the South, Rainey Street to the East, River Street to the North, and East Avenue to the West (Town Lake Watershed) from commercial liquor sales (CS-1) district zoning, general commercial services (CS) district zoning, community commercial (GR) district zoning and family residence (SF-3) district zoning to central business district (CBD) district zoning. Zoning and Platting Commission Recommendation: To grant central business district-conditional overlay (CBD-CO) combining district zoning and community commercial-mixed use (GR-MU) combining district zoning with conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775. (Continued from October 21, 2004. The public hearing was closed.) (Related Items 47, Z-1, Z-2, Z-3, Z-5, Z-6, Z-7, Z-8)
- Z- 5            C14-04-0082 - Rainey Street Neighborhood Rezoning (Tract E) - Approve first reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by River Street to the South, Cummings Street to the North, Rainey Street to the East, and East Avenue to the West (Town Lake Watershed) from general commercial services (CS) district zoning, limited office (LO) district zoning and family residence (SF-3) district zoning to central business district (CBD) district zoning. Zoning and platting Commission Recommendation: To grant central business district (CBD) district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775. (Continued from October 21, 2004. The public hearing was closed.) (Related Items 47, Z-1, Z-2, Z-3, Z-4, Z-6, Z-7, Z-8)



- Z- 6            C14-04-0083 - Rainey Street Neighborhood Rezoning (Tract F) - Approve first reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property bounded by River Street between Rainey Street and Red River Street to the South (Town Lake Watershed) from family residence (SF-3) district zoning and downtown mixed use-conditional overlay (DMU-CO) combining district zoning to central business district (CBD) district zoning. Zoning and Platting Commission Recommendation: To grant central business district (CBD) district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775. (Continued from October 21, 2004. The public hearing was closed.) (Related Items 47, Z-1, Z-2, Z-3, Z-4, Z-5, Z-7, Z-8)
- Z- 7            C14-04-0096 - Rainey Street Neighborhood Rezoning (Tract G) - Approve first reading of an ordinance on first reading amending Chapter 25-2 of the Austin City Code by rezoning property bounded by IH-35 to the West , South of its intersection with San Marcos Street (Town Lake Watershed) from general commercial services (CS) district zoning, downtown mixed use-conditional overlay (DMU-CO) combining district zoning, community commercial (GR) district zoning and family residence (SF-3) district zoning to central business district (CBD) district zoning. Zoning and Platting Commission Recommendation: To grant central business district (CBD) district zoning with conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhoades). City Staff: Glenn Rhoades, 974-2775. (Continued from October 21, 2004. The public hearing was closed.) (Related Items 47, Z-1, Z-2, Z-3, Z-4, Z-5, Z-6, Z-8)
- Z- 8            C14-04-0097 - Rainey Street Neighborhood Rezoning (Tract H) - Approve first reading of an ordinance on first reading amending Chapter 25-2 of the Austin City Code by rezoning property bounded by the Southwest corner of Lambie Street and IH-35 North (southbound frontage road) (Town Lake Watershed) from general commercial services (GR) district zoning to central business district (CBD) district zoning. Zoning and Platting Commission Recommendation: To grant central business district (CBD) district zoning with conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department (Glenn Rhodes). City Staff: Glenn Rhoades, 974-2775. (Continued from October 21, 2004. The public hearing was closed.) (Related Items 47, Z-1, Z-2, Z-3, Z-4, Z-5, Z-6, Z-7)

- Z- 9            C14-04-0141 - Grandview Hills, Section 11B, Lot 1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as North RM 620 at Wilson Parke Avenue (Lake Travis Watershed) from interim-rural residence (I-RR) district zoning to 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. Applicant: Tomen-Parke Associates Ltd. (Tetsuo Hosohara). Agent: RVI Planners (D' Anne Williams). City Staff: Glenn Rhoades, 974-2775.
- Z- 10           C14-04-0142 - Dry Creek - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 639 West Dittmar Road (Boggy Creek Watershed) from single family residence standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: To grant family residence-conditional overlay (SF-3-CO) combining district zoning. Owner and Applicant: Larry Chabira. City Staff: Wendy Walsh, 974-7719.
- Z- 11           C14-04-0158 - Guadalupe Flats - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4525 Guadalupe Street (Waller Creek Watershed) from multifamily residence medium-high density (MF-4) district zoning to community commercial-mixed use conditional overlay (GR-MU-CO) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant/Agent: Codney Group (Mike Rhodes). City Staff: Glenn Rhoades, 974-2775.
- Z- 12           C14-04-0143 - Rundberg Lane East - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 401-405 East Rundberg Lane (Little Walnut Creek Watershed) from family residence (SF-3) district zoning to general office-conditional overlay (GO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Applicant: Hsu Realty (Chi-kao Hsu). Agent: Land Answers (Jim Whitliff). City Staff: Glenn Rhoades, 974-2775.

Z- 13            C14-04-0104 - Parkside at Slaughter Creek, Lot 19, Block A - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10001 South IH-35 (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Applicant: Lumbermen's Investment Corp. (Robert M. Mann). Agent: Vaughn & Associates, Inc. (Rick Vaughn). City Staff: Wendy Walsh, 974-7719.

Z- 14            C814-99-0001.03 - Avery Ranch PUD, Amendment #3 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Avery Ranch Boulevard at Parmer Lane (Brushy Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning.. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) amendment. Applicant: Pebble Creek Joint Venture (Edward Rathgeber, President), Developers of Avery Ranch (Robert D. Wunsch), Continental Homes of Texas, L.P. (Richard Maier). Agent: Waterstone Development (Theresa Canchola). City Staff: Sherri Gager, 974-3057

Z- 15            C14-04-0115 - Champion Tract 5 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5618-5628 FM 2222, 6200-6320 North Lakewood Drive, 6702-6710 North Lakewood Drive and 6201-6203 and 6401-6713 Capitol of Texas North (Bull Creek Watershed) from general commercial services-conditional overlay (GR-CO) combining district zoning to general commercial services-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant: Champion Assets Ltd. (Josie Champion). Agent: Graves, Dougherty, Hearon, Moody (Michael Whellan). City Staff: Glenn Rhoades, 974-2775. (Related Items Z-16, Z-17, Z-18)

- Z- 16      C14-04-0116 - Champion Tracts 1-3 and Single Family Residential Tracts  
- Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5800-6802 FM 2222, 6100-6712 Loop 360, 6507 Winterberry Drive and 6702-6710 Capitol of Texas North (Bull Creek Watershed) from multifamily residence limited density-conditional overlay (MF-1-CO) combining district zoning, neighborhood commercial-conditional overlay (LR-CO) combining district zoning, general office-conditional overlay (GO-CO) combining district zoning and single family residence standard lot-conditional overlay (SF-2-CO) combining district zoning to multifamily residence limited density-conditional overlay (MF-1-CO) combining district zoning, community commercial services-mixed use-conditional overlay (GR-MU-CO) combining district zoning, general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning and single family residence standard lot-conditional overlay (SF-2-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multifamily residence limited density-conditional overlay (MF-1-CO) combining district zoning, community commercial services-mixed use-conditional overlay (GR-MU-CO) combining district zoning, general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning and single family residence standard lot-conditional overlay (SF-2-CO) combining district zoning. Applicant: Champion Assets Ltd. (Josie Champion). Agent: Graves, Dougherty, Hearon, Moody (Michael Whellan). City Staff: Glenn Rhoades, 974-2775. (Related Items Z-15, Z-17, Z-18)
- Z- 17      C14-02-0181 - Champion Tract City Park Road West - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6100-6404 City Park Road and 6509-6909 FM 2222 (Bull Creek Watershed) from development reserve (DR) district zoning and neighborhood commercial-conditional overlay (LR-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Applicant: Champion Assets Ltd. (Josie Champion). Agent: Graves, Dougherty, Hearon and Moody (Michael Whellan). City Staff: Glenn Rhoades, 974-2775. (Related Items Z-15, Z-16, Z-18)

- Z- 18      C14-03-0140 - Champion Tract, City Park Road East - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6011-6411 City Park Road and 5801-6507 FM 2222 (West Bull Creek Watershed) from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Applicant: Champion Assets Ltd. (Josie Champion). Graves, Dougherty, Hearon, Moody (Michael Whellan). City Staff: Glenn Rhoades, 974-2775. (Related Items Z-15, Z-16, Z-17) .
- Z- 19      C14-04-0118 - 204-206 Stassney Lane - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 204-206 West Stassney Lane (Williamson Creek Watershed) from single family residence (SF-2) district zoning and family residence (SF-3) district zoning to community commercial (GR) district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. Applicants: Felix Michael Estrada and Felix A. Estrada. Agent: Lenworth Consulting (Nash Gonzales). City Staff: Wendy Walsh, 974-7719.
- Z- 20      C14-04-0100 - Old Lampasas Trail, Lot 20 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9001 Old Lampasas Trail (Bull Creek Watershed) from interim-single family residence standard lot (I-SF-2) district zoning to limited office (LO) district zoning. Zoning and Platting Commission Recommendation: To deny limited office (LO) district zoning. Applicant: Joseph G. Wheeler. City Staff: Sherri Gager, 974-3057
- Z- 21      C14-04-0030 - Time Insurance, Inc. - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405 and 1415 East Riverside Drive (Town Lake Watershed) from limited office (LO) district zoning and family residence (SF-3) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To deny community commercial-mixed use (GR-MU) combining district zoning. Applicant: John Suhuler. Agent: Thrower Design (Ron Thrower). City Staff: Robert Heil, 974-2330.

**5:30 P.M. LIVE MUSIC AND PROCLAMATIONS****LIVE MUSIC**

*Austin Powwow and American Indian Festival Performer*

**PROCLAMATIONS**

Proclamation - Adoption Day - to be presented by Mayor Will Wynn and to be accepted by Angela Hall

Proclamation - Celtic Festival - to be presented by Mayor Will Wynn and to be accepted by Mary Ruth Holder

Proclamation - Austin Partners in Education - to be presented by Mayor Will Wynn and to be accepted by Kathrin Brewer

Proclamation - GIS Day - to be presented by Mayor Will Wynn and to be accepted by Karen Sharp

Proclamation - Hunger and Homelessness Awareness - to be presented by Council Member Danny Thomas and to be accepted by Richard Troxell

**6:00 P.M. PUBLIC HEARINGS AND POSSIBLE ACTION****Neighborhood Planning and Zoning**

48. Conduct a public hearing for the full purpose annexation of the Seton Southwest Area (Approximately 63.75 acres in Travis County south of US Highway 290 West at the southwest corner of the intersection of US Highway 290 West and FM 1826).
49. Conduct a public hearing for the full purpose annexation of the FM 620 ROW Area (Approximately 9.78 acres of FM 620 right-of-way in Travis County from approximately four tenths of a mile south of the intersection of FM 620 and Boulder Lane south to the current city limit).
50. Conduct a public hearing for the full purpose annexation of the Brandt Road Area (Approximately 32.85 acres in Travis County east of IH 35 at the northeast corner of the intersection of IH 35 and Brandt Road).

51. Conduct a public hearing for the limited purpose annexation of Goodnight Ranch (Approximately 760.515 acres located in Travis County east of Old Lockhart Highway approximately one tenth of a mile east of the intersection of Slaughter Lane and Old Lockhart Highway).

**Watershed Protection and Development Review**

52. Conduct a public hearing to consider an ordinance waiving the development regulations of Ordinance 040624-52 to allow the construction of a secondary apartment special use at 5409 Avenue H in excess of 425 feet on the ground floor and 425 feet on the second story. Ordinance 040624-52 established interim development regulations prohibiting the issuance of a building permit for the construction of a high occupancy two-family residential use or secondary apartment special use.

**6:00 P.M. TIME CERTAIN ITEM**

53. Consider action on an appeal by Melton West of the Planning Commission's decision to deny a compatibility height waiver for property located at 1106 West 6th Street, Unit 301. (Public hearing conducted and closed on June 17, 2004.) (Denied by the Planning Commission.)

**ADJOURN**

**THE CITY OF AUSTIN IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. REASONABLE MODIFICATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE PLEASE CALL 974-3256 OR 974-2445 TDD.**

Council Meetings

January 8, 2004  
January 15, 2004

January 29, 2004  
February 5, 2004  
February 12, 2004

February 26, 2004  
March 4, 2004  
March 11, 2004

March 25, 2004  
April 1, 2004

April 15, 2004  
April 22, 2004

May 6, 2004  
May 13, 2004

May 27, 2004

June 10, 2004  
June 17, 2004  
June 24, 2004

July 29, 2004  
August 5, 2004  
August 12, 2004

August 26, 2004  
September 2, 2004

September 13,14,15  
(Budget)

September 30, 2004  
October 7, 2004

October 21, 2004  
October 28, 2004  
November 4, 2004

November 18, 2004

December 2, 2004

December 16, 2004

Cancelled Meetings

January 1, 2004

January 22, 2004

February 19, 2004

March 18, 2004

April 8, 2004

April 29, 2004

May 20, 2004

June 3, 2004

July 1, 2004  
July 8, 2004  
July 15, 2004  
July 22, 2004

August 19, 2004

September 9, 2004  
September 16, 2004

September 23, 2004

October 14, 2004

November 11, 2004

November 25, 2004

December 9, 2004

December 23, 2004  
December 30, 2004