



The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Thursday, March 20, 2003 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

Invocation: Elder Tony Chrasteky, Horizon Worship Center

Mayor Garcia called the Council Meeting to order at 12:06 p.m.

Mayor Garcia recessed the meeting at 12:09 p.m. to go into Executive Session

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

1. Discuss legal issues related to, and possible settlement of *Teresa Lord v. Ricardo Sosa and the City of Austin*, Cause Number GN0-01166, in the 126th Judicial District Court of Travis County, Texas. (Concerns a personal injury claim arising out of a motor vehicle accident involving a City vehicle).
2. Discuss legal issues related to *Ernest L. Lundelius, Jr. and Ana Maria Lundelius, Independent executor of the Estate of Bernard Halton Lundelius, Deceased v. the City of Austin*, Cause No. GN104166 in the 353rd Judicial District Court of Travis County, Texas. (Concerns development of a 19-acre tract near William Cannon and Brodie.)
3. Discuss legal issues related to *Marc Katz v. City of Austin, Texas*, Case Number A03CA129H, in the United States District Court for the Western District of Texas, Austin Division. (Concerns the City's \$100.00 limit on individual campaign contributions).
4. Discuss legal issues related to the creation of and regulations applicable to proposed Winfield Municipality Utility Districts.
This item was heard later in the meeting.
5. Discuss legal issues related to the proposed hazardous pipeline ordinance.
This item was heard later in the meeting.
6. Discuss legal issues related to the authorization of a construction contract with CAPITAL EXCAVATION COMPANY, Austin, Texas, for construction of the extension of Escarpment Boulevard from Aden Lane to S.H. 45.
53. Discuss legal issues related to regulations applicable to a duplex residential use.
This item was heard later in the meeting.

Executive Session ended at 1:38 p.m.

Mayor Garcia called the regular Council meeting back to order at 1:39 p.m.

CITIZEN COMMUNICATIONS: GENERAL

Pete Dwyer - Request City Staff be directed to expedite action to release a 60 acre portion of Austin's ETJ (James Manor Surfey No. 30) on behalf of Wild Horse Holdings, Ltd. **Not present when called.**

Jennifer Gale - Personal and Neighborhood self determination. **Not present when called.**

Gus Pena - To Discuss City issues and decisions that will adversely affect our Senior Citizens and our Youth and Children. **Not present when called.**

Charlotte Flynn for Clint Smith - Gray Panthers Thanks to Mayor/Council re "Stand Up Rally" 3/2.

Thomas Ibis - Avery Ranch - Why does the City of Austin believe that 80MPH is acceptable rate of speed for traffic thru a residential neighborhood where there is a major crosswalk?

Gavino Fernandez - Palm Pool! Que Paso! What happened?

Jose Quintero - East Austin needs a council member that answers to the Hispanic Community and not the environmental political machine.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 7-0 vote.

7. Approval of minutes from worksession of February 26, 2003 and March 5, 2003; the regular meeting of February 27, 2003 and March 6, 2003; and amended minutes for the regular meeting of February 6, 2003.
The minutes from the worksessions of February 26, 2003 and March 5, 2003; the regular meetings of February 27, 2003 and March 6, 2003; and amended minutes for the regular meeting of February 6, 2003 were approved.
8. Approve a settlement agreement in *Teresa Lord v. Ricardo Sosa and the City of Austin*, Cause Number GN0-01166, in the 126th Judicial District Court of Travis County, Texas. (Concerns a personal injury claim arising out of a motor vehicle accident involving a City vehicle).
The motion authorizing a settlement agreement of \$50,000 was approved.
9. Approve negotiation and execution of a contract with HELIODORO ROCHA AND ESTELLA LOPEZ ROCHA, 2221 Haskell Street, Austin, TX, for the purchase, including closing costs, of the house and property located at 2221 Haskell Street, in an amount not to exceed \$88,000. (Funding is available in the 2002-2003 Amended Capital Budget of the Electric Utility Department.) (Recommended by the Electric Utility Commission)
The motion authorizing the negotiation and execution of a contract was approved.
10. Approve the negotiation and execution of Amendment Number One to the "Interlocal Cooperation Agreement For Mobile Data Capability and Radio Network Communications between Travis County and the City of Austin" to allow receipt of additional funding from Travis County to upgrade the existing mobile data radio system infrastructure in exchange for partial ownership of the mobile data system. Amendment Number One will also permit Travis County to purchase, under the City's existing contract with TriTech, Inc., mobile data hardware and software equipment for use on the upgraded mobile data radio system. (Funding in the amount of \$1,015,000 to be received from Travis County.) (Related Items 11, 12, 13, 14)

The motion authorizing the negotiation and execution of Amendment Number One was approved.

11. Amend Ordinance No. 020909-02 the 2002-2003 Capital Budget of the Financial and Administrative Services Department by appropriating \$5,865,000 to the new Mobile Data System project. (\$4,850,000 will be funded through the future issuance of Contractual Obligations; \$1,015,000 is available from Travis County in accordance with the Interlocal Agreement between the City of Austin and Travis County.) (Related Items 10, 12, 13, 14)
Ordinance No. 030320-11 was approved.
12. Declare official intent to reimburse \$4,850,000 in costs related to the Mobile Data System project and amend the two-year GO Bond Sale Schedule. (Funds in the amount of \$4,850,000 to be reimbursed from the issuance of Contractual Obligations in August 2003 or later.) (Related Items 10, 11, 13, 14)
Resolution No. 030320-12 was approved.
13. Authorize execution of Amendment No. 3 to the contract with MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC., Austin, TX, for the purchase and installation of equipment and services to upgrade the existing Motorola mobile data system in an amount not to exceed \$4,385,132 for a revised total contract amount not to exceed \$78,347,376. (Funding in the amount of \$4,385.132 is available in the 2002-2003 Amended Capital Budget of the Financial and Administrative Services Department.) 5.0% MBE, 0.5% WBE subcontracting participation. (Related Items 10, 11, 12, 14)
The motion authorizing the execution of Amendment No. 3 was approved.
14. Approve execution of Amendment No. 7, to increase the contract with TRITECH SOFTWARE SYSTEMS, INC., San Diego, CA in an amount not to exceed \$1,980,079, for the purchase and installation of automatic vehicle locator (AVL) hardware and software, mobile computer and radio IP software to be incorporated into the City's Computer Aided Dispatch System, for a total amount not to exceed \$9,546,311.55. (\$1,980,079 is included in the 2002-2003 Amended Capital Budget of the Financial and Administrative Services Department.) This contract was awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. There are no subcontracting opportunities for this Amendment. (Related Items 10, 11, 12, 13)
The motion authorizing the execution of Amendment No. 7 was approved.
15. Amend Ordinance No. 020909-02, the Fiscal Year 2002-2003 Capital Budget to appropriate \$4,570,000 for the Financial and Administrative Services Department Trunked Radio System Project. (\$4,570,000 will be funded through the future issuance of Certificates of Obligation) (Related Item 16)
Ordinance No. 030320-15 was approved.
16. Declare official intent to reimburse \$4,570,000 in costs related to the Trunked Radio System project and amend the two-year GO Bond Sale Schedule. (\$4,570,000 to be reimbursed from the issuance of Contractual Obligations in August 2003 or later.) (Related Item 15)
Resolution No. 030320-16 was approved.
17. Amend Ordinance No. 020909-02, the Fiscal Year 2002-2003 Capital Budget to appropriate \$2,500,000 to a new project, 9-1-1 Communications Backup, for the Communications and Technology Management Office of the Financial and Administrative Services Department.

(\$2,500,000 will be funded through the future issuance of Contractual Obligations or Certificates of Obligation) (Related Item 18)

Ordinance No. 030320-17 was approved.

18. Declare official intent to reimburse \$2,500,000 in costs related to the 9-1-1 Communications Backup project and amend the two-year GO Bond Sale Schedule. (\$2,500,000 to be reimbursed from the issuance of Contractual Obligations or Certificates of Obligation in August 2003 or later.) (Related Item 17)

Resolution No. 030320-18 was approved.

Item 19 was pulled for discussion.

20. Approve an Ordinance authorizing acceptance of \$15,729 in additional grant funds from the Texas Department of Health for the Tuberculosis Elimination grant program; and amending Ordinance No. 020910-01, the approved Fiscal Year 2002-2003 Operating Budget, Health and Human Services Special Revenue Fund by appropriating \$15,729 in additional grant funds for a total grant amount of \$203,729. (Funding in the amount of \$15,729 is available from the Texas Department of Health-Tuberculosis Elimination Division. The grant period is from September 1, 2002 to August 31, 2003. No City Match is required.)

Ordinance No. 030320-20 was approved.

21. Approve outside counsel contract with Denton, Navarro, Rocha & Bernal, P.C., in an amount not to exceed \$50,000, for representing the City as chief negotiator and legal counsel in matters relating to labor negotiations for a Meet and Confer contract with the Austin Police Association. (Funding is available in the 2002-2003 Operating Budget of the Austin Police Department.)

The motion authorizing the outside counsel contract was approved.

22. Approve outside counsel contract with Scott, Douglass & McConnico L.L.P to assist with the appeal of, Gordon Dunaway and Eli J. Garza v. City of Austin, Texas, Cause No. 97-12434; in the Travis County District Court, Texas, and to assist with any negotiations towards settlement of that lawsuit, and the issues raised by the ETJ release from Sunset Valley of land on Brodie Lane, in an amount not to exceed \$90,000. (Funding is available in the 2002-2003 Approved Operating Budget of the Liability Reserve Fund.)

The motion authorizing the outside counsel contract was approved.

Items 23 and 24 were pulled for discussion.

25. C14-02-0117 - Telecom Office Park - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 4101 Smith School Road (Onion Creek Watershed) from I-RR, Interim-Rural Residence district zoning to LI-PDA, Limited Industrial Services-Planned Development Area Combining district zoning. First reading on October 31, 2002. Vote: 7-0. Conditions met as follows: No conditions were imposed. Applicant: Telecom Park, L.P. Agent: Brock Consulting Group (Linda Curfs). City Staff: Sherri Gager, 974-3057.

Ordinance No. 030320-25 was approved.

26. C14-02-0013 - Interport South - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning and zoning property locally known as 3801-4231 South FM 973 Road (Onion Creek Watershed) from DR, Development Reserve district zoning and I-RR, Interim-Rural Residence district zoning to LI-CO, Limited Industrial Services-Conditional Overlay Combining district zoning. First reading on January 16, 2003. Vote: 7-0.

Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: SBJV Investments, Ltd. (John Lloyd). Agent: Land Answers (Jim Wittliff). City Staff: Wendy Walsh, 974-7719;
Ordinance No. 030320-26 was approved.

Item 27 was pulled for discussion.

28. Authorize negotiation and execution of a Multiple Use Agreement with the Texas Department of Transportation for the purpose of extending an ADA ramp within the northbound MoPac access right of way to provide access to the McBeth Recreation Center.

The motion authorizing negotiation and execution of a Multiple Use Agreement was approved.

29. Authorize execution of a construction contract with ARCHER WESTERN CONTRACTORS, LTD., Arlington, TX, for the South Austin Regional Wastewater Treatment Plant Water Reuse/Non Potable Water Project, in the amount of \$7,067,000 plus a \$500,000 contingency, for a total contract amount not to exceed \$7,567,000. (Funding in the amount of \$7,567,000 is available in the 2002-2003 Amended Capital Budget of the Water & Wastewater Utility.) Lowest of six bids received. 27.56% MBE, 1.72% WBE subcontracting participation. (Recommended by Water & Wastewater Commission)

The motion authorizing the execution of a construction contract was approved.

Item 30 was pulled for discussion.

31. Authorize the negotiation and execution of a contract for the purchase of approximately 5.757 acres in fee simple from Duke Covert, et al for the construction of a water quality pond in an amount not to exceed the contract amount of \$500,000. (Funding was included in the 2001-2002 Amended Capital Budget of the Watershed Protection and Development Review Department.)

Resolution No. 030320-31 was approved.

32. Approve a resolution authorizing a fee simple acquisition of Lot 9, Linda Vista Subdivision, locally known as 10606 Linda Vista, from Hilario & Tomasa Solis for the Airport Noise Mitigation Program, in the amount of \$89,000 for the land and \$18,000 for relocation benefits, for a total amount not to exceed \$107,000 plus closing cost and moving related assistance. (Funding in the amount of \$107,000 is available in the 2002-2003 Capital Budget of the Aviation Department using airport funds and available Federal Aviation Administration (FAA) grants.)

Resolution No. 030320-32 was approved.

33. Authorize execution of Amendment #4 to the contract with ILLINOIS WATER TREATMENT INC., DBA US FILTER, Palm Desert, CA for additional design services for the raw water treatment system at the Sand Hill Energy Center in an amount not to exceed \$56,500, for a revised contract amount not to exceed \$1,126,822.15. (Funding in the amount of \$56,500 is available in the 2002-2003 Amended Capital Budget for the Electric Utility Department.) This contract was awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the execution of Amendment #4 to the contract was approved.

34. Authorize execution of a 12-month supply agreement with LUFKIN CREOSOTING COMPANY, INC., Lufkin, TX for pressure treated wood utility poles in an amount not to exceed \$869,031.40 with four 12-month extension options in an amount not to exceed \$869,031.40 per

option, for a total contract amount not to exceed \$4,345,157.00. (Funding in the amount of \$434,515.70 is available in the 2002-2003 Amended Operating Budget of the Electric Utility Department. Funding for the remaining 6 months of the original contract period and extension option is contingent upon available funding in future budgets.) Low bid of six bids received. This contract will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established.

The motion authorizing the execution of a supply agreement was approved.

35. Authorize negotiation and execution of a 12-month service agreement with DUNCAN, WINEBURG, GENZER & PEMBROKE, Washington, D.C., for public power consulting services for Austin Energy in an amount not to exceed \$59,500, with two 12-month extension options in an amount not to exceed \$59,500 per extension option, for a total agreement amount not to exceed \$178,500. (Funding in the amount of \$29,750 is available in the Fiscal Year 2002-2003 Amended Operating Budget for the Electric Utility Department. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Best proposal of ten proposals received. This contract will be awarded in compliance the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore MBE/WBE goals were not established for this solicitation. All services will be completed by the Contractors' own workforce.

The motion authorizing the negotiation and execution of a service agreement was approved.

36. Approve execution of a 12-month supply agreement with FERGUSON INDUSTRIAL DIVISION, Austin, TX for manhole rings and covers for the Water and Wastewater Utility in an amount not to exceed \$59,200.50, with two 12-month extension options in an amount not to exceed \$59,200.50 per extension option, for a total agreement amount not to exceed \$177,601.50. (Funding in the amount of \$29,600 is included in 2002-2003 Operating Budget of the Water and Wastewater Utility. Funding for the remaining six months of the original contract period and extension option is contingent upon available funding in future budgets.) Low bidder of six bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established for this solicitation.

The motion authorizing the execution of a supply agreement was approved.

37. Approve execution of a 12-month supply agreement with CENTRAL MINERALS CORP., Indialantic, FL for an estimated 120 tons of powdered activated carbon for the Water and Wastewater Utility in an amount not to exceed \$74,160, with two 12-month extension options in an amount not to exceed \$74,160 per extension option, for a total agreement amount not to exceed \$222,480. (Funding in the amount of \$30,900 is included in the 2002-2003 Operating Budget of the Water and Wastewater Utility. Funding for the remaining seven months of the original contract period and extension option is contingent upon available funding in future budgets.) Low bidder meeting specifications of four bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified, therefore, no goals were established for this solicitations.

The motion authorizing the execution of a supply agreement was approved.

38. Authorize negotiation and execution of a professional services agreement with 21st CENTURY SOLUTIONS, Silver Spring, MD for the development of a technical assistance guide and a project evaluation study for the Handheld Technology Project in an amount not to exceed \$49,758. (Funding in the amount of \$49,758 is included in the 2001-2002 Approved Austin Police Department Special Revenue Budget. Grant funding from the U. S. Department of Justice Community Oriented Policing Source.) Best proposal of four proposals received. This contract

will be awarded in accordance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the negotiation and execution of a professional services agreement was approved.

39. Authorize execution of a 12-month supply agreement with MILLER UNIFORMS & EMBLEMS, Austin, TX for reversible windbreakers in an amount not to exceed \$44,429, with two 12 -month extension options in an amount not to exceed \$44,429, for a total agreement amount not to exceed \$133,287. (Funding in the amount of \$22,214.50 is available in the 2002-2003 Approved Operating Budget of the Police Department. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid meeting specification of two bids received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. There is no opportunity for subcontracting, therefore, no goals were established for this solicitation.

The motion authorizing execution of a supply agreement was approved.

40. Approve negotiation and execution of a professional services agreement with MORRIS & MCDANIEL, INC., AKA MANAGEMENT CONSULTANTS, Alexandria, VA for assessment centers related to the promotion process of the Police Department in an amount not to exceed \$63,800, with two 12-month extension options in an amount not to exceed \$63,800 per extension option, for a total contract amount not to exceed \$191,400. (Funding in the amount of \$63,800 is available in the 2002-2003 Operating Budget of the Austin Police Department. Funding for the extension options is contingent upon available funding in future budgets.) Best proposal of five proposals received. This contract will be awarded in compliance with the 1996 MBE/WBE Ordinance, as amended. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the negotiation and execution of a professional services agreement was approved.

Item 41 was pulled for discussion.

42. Authorize negotiation and execution of amendment to the Memorandum of Understanding with Buffalo Equities, Ltd. for cost participation in the estimated construction cost of \$101,794.19 for the expansion of the Scenic Brook storm water detention pond as part of the Scenic Brook Storm Water System Improvements Capital Improvements Project, CIP No. 4850-617-9510. (Funding to be provided by Buffalo Equities, Ltd. No City funding is required.) (Related Item 43)

The motion authorizing the negotiation and execution of amendment was approved.

43. Amend Ordinance No. 020909-02, the 2002-2003 Capital Budget of the Watershed Protection and Development Review Department by appropriating \$101,794 in developer participation revenue to the Scenic Brook Drainage Improvements project. (Funding to be provided by Buffalo Equities, Ltd. No City funding is required.) (Related Item 42)

Ordinance No. 030320-43 was approved.

44. Approve an ordinance to waive fees, and signature requirements for the Austin-American Statesman Capitol 10,000 to be held on Sunday March 30, 2003 and the Junior Dillo Kids Mile on Saturday March 29, 2003. (Council Member Will Wynn, Mayor Gus Garcia and Council Member Betty Dunkerley)

Ordinance No. 030320-44 was approved.

45. Approve an ordinance waiving certain fee requirements under City Code Chapter 15-11 in connection with the Blow the Whistle on Asthma Walk to be held on March 22, 2003. (Mayor Gus Garcia, Council Member Will Wynn and Council Member Betty Dunkerley)
Ordinance No. 030320-45 was approved.
46. Approve a resolution requesting no reductions in current levels by the State of Texas for community based programs for people with disabilities, children and the elderly. (Mayor Gus Garcia, Mayor Pro Tem Jackie Goodman and Council Member Betty Dunkerley)
Resolution No. 030320-46 was approved.
47. Set public hearings for the full purpose annexation of: Pioneer Hill (Approximately 277 acres located in Travis County east of Dessau Road, and east of the intersection of Applegate Drive and Dessau Road including Dessau Road right-of-way (ROW) from the intersection of Dessau Road and Braker Lane south to approximately three-tenths of a mile north of the intersection of Dessau Road and Rundberg Lane.) McNeil Drive ROW (Approximately 4 acres in Travis County of McNeil Drive ROW from approximately one-tenth of a mile east of the intersection of Corpus Christi Drive and McNeil Drive east to the intersection of McNeil Drive and Parmer Lane.)(Suggested dates and times: March 27, 2003 at 6:00 p.m. - Lower Colorado River Authority, Hancock Building; and April 3, 2003 at 6:00 p.m., Lower Colorado River Authority, Hancock Building).
The public hearings were set for March 27, 2003 at 6:00 p.m., Lower Colorado River Authority, Hancock Building and April 3, 2003 at 6:00 p.m., Lower Colorado River Authority, Hancock Building.
48. Set a public hearing on an ordinance to amend Section 25-2-773 of the City Code regarding duplex residential use. (Suggested date and time: March 27, 2003 at 6:00 p.m.)
The public hearing was set for March 27, 2003 at 6:00 p.m.
49. Set a public hearing to approve an ordinance amending Subchapter D of 25-2 of the City Code (Neighborhood Planning Combining Districts) related to infill and redevelopment options. (Suggested date and time: April 3, 2003 at 6:00 p.m.)
The public hearing was set for April 3, 2003 at 6:00 p.m.

DISCUSSION ITEMS

30. Discussion and possible action on a construction contract with CAPITAL EXCAVATION COMPANY, Austin, TX, for construction of the extension of Escarpment Boulevard from Aden Lane to S.H.45 in the amount of \$2,098,079 plus a 10% contingency, for a total contract amount not to exceed \$2,307,900. (Funding in the amount of \$2,307,900 is available in the following BUDGETS: \$2,181,100 from the 2002-2003 Capital Budget of the Transportation, Planning, and Sustainability Department and \$126,800 from the 2002-2003 Capital Budget of the Fire Department.) Lowest of Seven Bids Received. 6.91% MBE, 17.24% WBE subcontracting participation. (Related Item 41)
Withdrawn from the agenda.
41. Amend Ordinance No. 020909-02, the Fiscal Year 2002-2003 Transportation Planning and Sustainability Department Capital Budget to re-allocate \$349,000 from the South 1st Street Extension project and \$601,000 from the TSM - Intersection Improvements project, for a total re-appropriation of \$950,000 to the Escarpment Blvd. Extension Project. (Funding in the amount of \$349,000 is available in the 1998 G.O. Bonds, Proposition 1 associated with the S. 1st Street

Extension Project and \$601,000 is available in the 1998 G.O. Bonds, Proposition 1 associated with the TSM Intersection Improvements Project) (Related Item 30)

Ordinance No. 030320-41 was approved on Council Member Slusher's motion, Council Member Dunkerley's second on a 7-0 vote.

ZONING HEARINGS AND APPROVAL OF ORDINANCES/RESTRICTIVE COVENANTS

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. Consent items were approved on Council Member Dunkerley's motion, Council Member Alvarez' second on a 6-0 vote. Mayor Garcia was off the dais.

- Z- 1** Conduct a public hearing and consider action on amendment #2 to the Southeast Combined Neighborhood Plan, Ordinance No. 021010-11, part of the Austin Tomorrow Comprehensive Plan, to change the Future Land Use Map from undesignated use to commercial use for 2505 and 2507 Hoeke Lane and from commercial use to mixed-use for SF-2 zoned properties along Norwood Lane. (There is no fiscal impact associated with setting this public hearing. The Southeast Combined Neighborhood Plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Recommended by Planning Commission.) (Related Items Z-2, Z-3, Z-4)
The first reading of the ordinance was approved.
- Z- 2** C14-03-0003 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2505 and 2507 Hoeke Lane (Carson Creek Watershed) from W/LO-NP, Warehouse Limited Office-Neighborhood Plan Combining district zoning to CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)
The first reading of the ordinance was approved.
- Z- 3** C14-03-0012 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4216 U.S. Highway 183 South; 4300 - 4622 Norwood Lane; 8008 - 8016 Burleson Road (Onion Creek Watershed) from SF-2-NP, Single Family Residence Standard Lot-Neighborhood Plan Combining district zoning to CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)
The first reading of the ordinance was approved.
- Z- 4** C14-03-0013 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4301-4621 Norwood Lane; 4300-4508 U.S. Highway 183 South (Onion Creek Watershed) from SF-2-NP, Single Family Residence Standard Lot-Neighborhood Plan Combining district zoning to CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district zoning and CS-NP, General Commercial Services-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

The first reading of the ordinance was approved.

- Z- 5 Conduct a public hearing on and consider action on amendment #1 to the North Austin Civic Association Neighborhood Plan, Ordinance No. 000629-106, part of the Austin Tomorrow Comprehensive Plan, to change the Future Land Use Map from single-family use to mixed use/office use for 1517 Kramer Lane. (There is no fiscal impact associated with setting this public hearing. The North Austin Civic Association Neighborhood Plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Recommended by the Planning Commission.) (Related Item Z-6)

The first reading of the ordinance was approved.

- Z- 6 C14-02-0187 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1517 Kramer Lane (Little Walnut Creek Watershed) from SF-6-NP, Townhouse and Condominium Residence-Neighborhood Plan Combining district zoning to LO-MU-CO-NP, Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant LO-MU-CO-NP, Limited Office-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: Joseph Hood. Agent: Land Answers (Jim Whitliff). City Staff: Glenn Rhoades, 974-2775. (Related Item Z-5)

The first reading of the ordinance was approved.

- Z- 7 C14-03-0004 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3210 U.S. Highway 183 South (Onion Creek Watershed) from SF-2-NP, Single Family Residence Standard Lot-Neighborhood Plan Combining district zoning to CS-NP, General Commercial Services-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant CS-CO-NP, General Commercial Services-Conditional Overlay Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719.

The first reading of the ordinance was approved.

- Z- 8 C14-03-0005 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3304, 3308 and 3310 U.S. Highway 183 South (Onion Creek Watershed) from SF-2-NP, Single Family Residence Standard Lot-Neighborhood Plan Combining district zoning to CS-NP, General Commercial Services-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant CS-NP, General Commercial Services-Neighborhood Plan district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719.

The first reading of the ordinance was approved.

- Z- 9 C14-02-0198 - Telecom Office Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 7001 Burleson Road (Onion Creek Watershed) from I-RR, Interim-Rural Residence district zoning to LI-PDA, Limited Industrial Services-Planned Development Area Combining district zoning. Zoning and Platting Commission Recommendation: To grant LI-PDA Limited Industrial Services-Planned Development Area Combining district zoning. Applicant: Garfield Partners (Vaughn Brock). Agent: Brock Consulting Group (Linda Curfs). City Staff: Wendy Walsh, 974-7719.

The first reading of the ordinance was approved.

- Z- 10 C14-03-0018 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2105 San Antonio Street (Shoal Creek Watershed) from MF-4, Multifamily Residence Moderate High Density district zoning to CS, General Commercial Services district zoning. Planning Commission Recommendation: To grant CS-CO, General Commercial Services-Conditional Overlay Combining district zoning. Applicant: Texas Hillel Foundation (Rabbi David Kessel). Agent: Lopez-Phelps and Associates (Amelia Lopez-Phelps). City Staff: Glenn Rhoades, 974-2775.
Ordinance No. 030320-Z10 was approved.
- Z- 11 C14-02-0175 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 304 East 30th Street (Waller Creek Watershed) from GO, General Office district zoning to GO-MU, General Office-Mixed Use Combining district zoning. Planning Commission Recommendation: To grant GO-MU General Office-Mixed Use Combining district zoning. Applicant: Ray Pressler. Agent: Mike McHone. City Staff: Glenn Rhoades, 974-2775.
Ordinance No. 030320-Z11 was approved.
- Z- 12 C14-03-0022 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4525 Interstate Highway 35 South (Williamson Creek Watershed) from GR-NP, Community Commercial-Neighborhood Plan Combining district zoning to GR-CO-NP, Community Commercial-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant GR-CO-NP, Community Commercial-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)
This item was postponed to April 24, 2003 at staff's request.
- Z- 13 C14-03-0023 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the northwest corner of Directors Boulevard and Freidrich Lane (Williamson Creek Watershed) from LI-NP, Limited Industrial Services-Neighborhood Plan Combining district zoning to LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719.
This item was postponed to April 24, 2003 at staff's request.
- Z- 14 C14-03-0024 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4211 Freidrich Lane (Williamson Creek Watershed) from LI-NP, Limited Industrial Services-Neighborhood Plan Combining district zoning to LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)
This item was postponed to April 24, 2003 at staff's request.
- Z- 15 C14-03-0025 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the northeast corner of East St. Elmo Road and Woodward Street (Williamson Creek Watershed) from LI-NP, Limited Industrial Services-Neighborhood Plan Combining district zoning to LI-CO-NP, Limited Industrial

Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 16 C14-03-0026 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2501, 4401 and 4417 East St. Elmo Road (Williamson Creek Watershed) from LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning; SF-2-NP, Single Family Residence Standard Lot-Neighborhood Plan Combining district zoning; LI-NP, Limited Industrial Services-Neighborhood Plan Combining district zoning and GO-CO-NP, General Office-Conditional Overlay-Neighborhood Plan Combining district zoning to LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning; SF-2-CO-NP, Single Family Residence Standard Lot-Conditional Overlay-Neighborhood Plan Combining district zoning and GO-CO-NP, General Office-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To be considered by the Commission on March 26, 2003. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 17 C14-03-0027 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4601 and 4611 East St. Elmo Road (Williamson Creek Watershed) from SF-2-NP, Single Family Residence Standard Lot-Neighborhood Plan Combining district zoning; SF-2-CO-NP, Single Family Residence Standard Lot-Conditional Overlay-Neighborhood Plan Combining district zoning; RR-NP, Rural Residence-Neighborhood Plan Combining district zoning; SF-6-NP, Townhouse & Condominium-Neighborhood Plan Combining district zoning and LO-NP, Limited Office-Neighborhood Plan Combining district zoning to SF-2-CO-NP, Single Family Residence Standard Lot-Conditional Overlay-Neighborhood Plan Combining district zoning; RR-CO-NP, Rural Residence-Conditional Overlay-Neighborhood Plan Combining district zoning; SF-6-CO-NP, Townhouse & Condominium-Conditional Overlay-Neighborhood Plan Combining district zoning and LO-CO-NP, Limited Office-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant SF-2-CO-NP, Single Family Residence Standard Lot-Conditional Overlay-Neighborhood Plan Combining district zoning; RR-CO-NP, Rural Residence-Conditional Overlay-Neighborhood Plan Combining district zoning; SF-6-CO-NP, Townhouse & Condominium-Conditional Overlay-Neighborhood Plan Combining district zoning and LO-CO-NP, Limited Office-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 18 C14-03-0028- Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5001 Nuckols Crossing Road (Williamson Creek Watershed) from LR-NP, Neighborhood Commercial-Neighborhood Plan Combining district zoning to LR-CO-NP, Neighborhood Commercial-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant LR-CO-NP, Neighborhood Commercial-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 19 C14-03-0029 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as south of Burleson Road and west of Stassney Lane (Williamson Creek Watershed) from LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan-Combining district zoning; W/LO-NP, Warehouse Limited Office-Neighborhood Plan Combining district zoning; LI-NP, Limited Industrial Services-Neighborhood Plan Combining district zoning; and LI-PDA-NP, Limited Industrial Services-Planned Development Area-Neighborhood Plan Combining district zoning to LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning; W/LO-CO-NP, Warehouse Limited Office-Conditional Overlay-Neighborhood Plan Combining district zoning and LI-PDA-NP, Limited Industrial Services-Planned Development Area-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To be considered by the Commission on March 26, 2003. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 20 C15-03-0030 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4100 Caven Road (Williamson Creek Watershed) from LI-NP, Limited Industrial Services-Neighborhood Plan Combining district zoning to LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To be considered by the Commission on March 26, 2003. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 21 C14-03-0031 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5101-5401 East Ben White Boulevard (Carson Creek Watershed) from LI-NP, Limited Industrial Services-Neighborhood Plan Combining district zoning to LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 22 C14-03-0032 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5317-5699 East Ben White Boulevard; and 3400 and 3500 Comsouth Drive (Carson Creek Watershed) from CS-NP, General Commercial Services-Neighborhood Plan Combining district zoning and LI-NP, Limited Industrial Services-Neighborhood Plan Combining district zoning to CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district zoning and LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To be considered by the Commission on March 26, 2003. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 10, 2003 at staff's request.

- Z- 23 C14-03-0033 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3301 and 3401 Comsouth Drive (Carson

Creek Watershed) from CS-NP, General Commercial Services-Neighborhood Plan Combining district zoning and LI-NP, Limited Industrial Services-Neighborhood Plan Combining district zoning to CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district zoning and LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To be considered by the Commission on March 26, 2003. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 24 C14-03-0034 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6117 and 6133 East Ben White Boulevard (Carson Creek Watershed) from CS-NP, General Commercial Services-Neighborhood Plan Combining district zoning to CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 25 C14-03-0035 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as south of East Ben White and east of Montopolis Drive (Carson Creek Watershed) from CH-NP, Commercial Highway-Neighborhood Plan Combining district zoning; P-NP, Public-Neighborhood Plan Combining district zoning; CS-MU-NP, General Commercial Services-Mixed Use-Neighborhood Plan Combining district zoning; CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district zoning and LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning to CH-CO-NP, Commercial Highway-Conditional Overlay-Neighborhood Plan Combining district zoning; P-CO-NP, Public-Conditional Overlay-Neighborhood Plan Combining district zoning; CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district zoning and LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant CH-CO-NP, Commercial Highway-Conditional Overlay-Neighborhood Plan Combining district zoning; P-CO-NP, Public-Conditional Overlay-Neighborhood Plan Combining district zoning; CS-MU-CO-NP, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan Combining district zoning and LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 26 C14-03-0036 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as northwest of Burleson Road to U.S. Highway 183 South (Carson Creek and Onion Creek Watersheds) from LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning; LI-PDA-NP, Limited Industrial Services-Planned Development Area-Neighborhood Plan Combining district zoning, and RR-CO-NP, Rural Residence-Conditional Overlay-Neighborhood Plan Combining district zoning to LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning; LI-PDA-NP, Limited Industrial Services-Planned Development Area-Neighborhood Plan Combining district zoning, and RR-CO-NP, Rural

Residence-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning; LI-PDA-NP, Limited Industrial Services-Planned Development Area-Neighborhood Plan Combining district zoning, and RR-CO-NP, Rural Residence-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 27 C14-03-0037 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as southwest corner of Burleson Road and Smith School Road (Onion Creek and Williamson Creek Watersheds) from LI-PDA-NP, Limited Industrial Services-Planned Development Area-Neighborhood Plan Combining district zoning to LI-PDA-NP, Limited Industrial Services-Planned Development Area-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant LI-PDA-NP, Limited Industrial Services-Planned Development Area-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)
- This item was postponed to April 24, 2003 at staff's request.**
- Z- 28 C14-03-0038 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as south of Riverside Drive and west of U.S. Highway 183 South (Carson Creek Watershed) from LI-NP, Limited Industrial Services-Neighborhood Plan Combining district zoning; RR-NP, Rural Residence-Neighborhood Plan Combining district zoning; CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district zoning and CS-NP, General Commercial Services-Neighborhood Plan Combining district zoning to LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning; RR-CO-NP, Rural Residence-Conditional Overlay-Neighborhood Plan Combining district zoning; and CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To grant LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning; RR-CO-NP, Rural Residence-Conditional Overlay-Neighborhood Plan Combining district zoning; and CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)
- This item was postponed to April 24, 2003 at staff's request.**
- Z- 29 C14-03-0039 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as northeast of Burleson Road, southeast of McCall Lane, and west of U.S. Highway 183 South (Onion Creek Watershed) from CS-NP, General Commercial Services-Neighborhood Plan Combining district zoning; LI-NP, Limited Industrial Services-Neighborhood Plan Combining district zoning; IP-NP, Industrial Park-Neighborhood Plan Combining district zoning; RR-NP, Rural Residence-Neighborhood Plan Combining district zoning; and LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning to CS-CO-NP, General Commercial Services-Conditional Overlay-Neighborhood Plan Combining district zoning; LI-CO-NP, Limited Industrial Services-Conditional Overlay-Neighborhood Plan Combining district zoning; IP-CO-NP, Industrial Park-Conditional Overlay-Neighborhood Plan Combining district zoning; and RR-CO-NP, Rural Residence-Conditional Overlay-Neighborhood Plan Combining district zoning. Planning Commission Recommendation: To be considered by the Commission on March 26,

2003. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

- Z- 30 C14-03-0040 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7600 Burleson Road (Onion Creek Watershed) from IP-CO-NP, Industrial Park-Conditional Overlay-Neighborhood Plan Combining district zoning to IP-CO-NP, Industrial Park-Conditional Overlay-Neighborhood Plan Combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant IP-CO-NP, Industrial Park-Conditional Overlay-Neighborhood Plan Combining district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. (Related Item Z-1)

This item was postponed to April 24, 2003 at staff's request.

Items Z-31 through Z-36 were pulled for discussion.

ZONING DISCUSSION ITEMS

- Z- 31 C14-02-0164 - Southwest Parkway - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Southwest Parkway at Travis Cook Road and Old Bee Caves Road at Bell Drive (Barton Creek and Williamson Creek Watersheds-Barton Springs Zone) from RR, Rural Residence district zoning and DR, Development Reserve district zoning to MF-1-CO, Multifamily Residential Limited Density-Conditional Overlay Combining district zoning. Zoning and Platting Commission Recommendation: To grant MF-1-CO, Multifamily Residence Limited Density-Conditional Overlay Combining district zoning. Applicant: Lamar Mathis, Esther B Martinez, Earl Tipton. Agent: Urban Design Group (Laura Toups) City Staff: Annick Beaudet, 974-2975. **The public hearing was closed on Council Member Sluser's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Mayor Garcia was off the dais.**

The first reading of the ordinance adopting staff's recommendation for MF-1-CO district zoning was approved with the following friendly amendment on Council Member Dunkerley's motion, Council Member Wynn's second on a 6-0 vote. Mayor Garcia was off the dais. The friendly amendment from Mayor Pro Tem Goodman was to prohibit access from Bee Caves and grant access from Travis Hill.

THE FOLLOWING AMENDMENT(S) WERE MADE

The public hearing was closed on Council Member Sluser's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Mayor Garcia was off the dais.

The first reading of the ordinance adopting staff's recommendation for MF-1-CO district zoning was approved with the following friendly amendment on Council Member Dunkerley's motion, Council Member Wynn's second on a 5-1 vote. Council Member Sluser voted nay. Mayor Garcia was off the dais. The friendly amendment from Mayor Pro Tem Goodman was to prohibit access from Bee Caves and grant access from Travis Hill.

- Z- 32 C14-02-0190 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1504 West Koenig Lane (Shoal Creek Watershed) from SF-3, Family Residence district zoning to LO-MU, Limited Office-Mixed Use Combining district zoning. Zoning and Platting Recommendation: To grant NO-MU,

Neighborhood Office-Mixed Use Combining district zoning with conditions. Applicant: Kevin McHale. Agent: Brad Greenblum. City Staff: Glenn Rhoades, 974-2775.

The public hearing was closed on Council Member Wynn's motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Garcia was off the dais.

The first reading of the ordinance for NO-MU district zoning was approved on Council Member Dunkerley's motion, Mayor Garcia's second on a 7-0 vote.

- Z- 33 C14-02-0019 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1506 West Koenig Lane (Shoal Creek Watershed) from SF-3, Family Residence district zoning to LO-MU, Limited Office-Mixed Use Combining district zoning. Zoning and Platting Commission Recommendation: To grant NO-MU, Neighborhood Office-Mixed Use Combining district zoning with conditions. Applicant: Archie Scott. Agent: Brad Greenblum. City Staff: Glenn Rhoades, 974-2775.
The public hearing was closed on Council Member Wynn's motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Garcia was off the dais.

The first reading of the ordinance for NO-MU district zoning was approved on Council Member Dunkerley's motion, Mayor Garcia's second on a 7-0 vote.

- Z- 34 C14-03-0042 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2005 West Koenig Lane (Shoal Creek Watershed) from SF-3, Family Residence district zoning to LO-MU, Limited Office-Mixed Use Combining district zoning. Zoning and Platting Commission Recommendation: To grant NO-MU, Neighborhood Office-Mixed Use Combining district zoning with conditions. Applicant: Sanford Hurwitz. Agent: Brad Greenblum. City Staff: Glenn Rhoades, 974-2775.
The public hearing was closed on Council Member Wynn's motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Garcia was off the dais.

The first reading of the ordinance for LO-MU district zoning was approved on Council Member Dunkerley's motion, Council Member Mayor Garcia's second on a 5-2 vote. Those voting aye were: Mayor Garcia, Mayor Pro Tem Goodman, Council Member Dunkerley, Council Member Thomas and Council Member Wynn. Those voting nay were: Council Members Alvarez and Slusher.

- Z- 35 C14-02-0195 -Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2003 West Koenig Lane (Shoal Creek Watershed) from SF-3, Family Residence district zoning to LO, Limited Office district zoning. Zoning and Platting Commission Recommendation: To grant NO, Neighborhood Office district zoning with conditions. Applicant: Paragon Prep (David McGrath). Agent: Brad Greenblum. City Staff: Glenn Rhoades, 974-2775.
The public hearing was closed on Council Member Wynn's motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Garcia was off the dais.

The first reading of the ordinance for LO-MU district zoning was approved on Council Member Dunkerley's motion, Council Member Mayor Garcia's second on a 5-2 vote. Those voting aye were: Mayor Garcia, Mayor Pro Tem Goodman, Council Member Dunkerley, Council Member Thomas and Council Member Wynn. Those voting nay were: Council Members Alvarez and Slusher.

Mayor Garcia recessed the meeting at 5:29 p.m.

LIVE MUSIC

Gina Chavez

PROCLAMATIONS

Proclamation - - ScienceFest - to be presented by Mayor Gus Garcia.

Proclamation - - Termite Awareness Week - to be presented by Mayor Gus Garcia.

Proclamation - - Purchasing Month - to be presented by Mayor Gus Garcia.

Mayor Garcia called the Council to go into Executive Session at 5:30 p.m.

EXECUTIVE SESSION

4. Discuss legal issues related to the creation of and regulations applicable to proposed Winfield Municipality Utility Districts.
5. Discuss legal issues related to the proposed hazardous pipeline ordinance.
53. Discuss legal issues related to regulations applicable to a duplex residential use.

Executive Session ended at 7:52p.m.

Mayor Garcia reconvened the regular Council meeting back to order at 7:55 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTION

50. Conduct a public hearing regarding the application submitted by American Medical Response of Texas, Inc. (AMR) to renew a non-emergency medical transfer franchise, under Chapter 6-3 of the City Code and approve the franchise agreement on first reading.(Recommended by Austin-Travis County EMS Advisory Board.)
The public hearing was closed on Council Member Wynn's motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

The first reading was approved on Council Member Thomas' motion, Council Member Wynn's second on a 6-0 vote. Mayor Pro Tem Goodman was off the dais.

51. Conduct a public hearing to receive citizen comments on proposed amendments to the City's federal annual Action Plan 2002-2003, for the transfer of \$585,000 in Community Development Block Grant (CDBG) funds from the Homeownership Development Program to the Homeowner Rehabilitation Program. (The Community Development Commission (CDC) made recommendations to the City Council on the Action Plan 2002-2003 on July 16, 2002. On March 18, 2003 the CDC discussed and made recommendations on the proposed amendments to the City's federal Action Plan 2002-2003.)
The public hearing was closed on Council Member Wynn's motion, Council Member Alvarez' second on a 5-0 vote. Mayor Pro Tem Goodman and Council Member Slusher were off the dais.

52. Conduct a public hearing and consider a variance request to allow construction of rest room facilities in the 100-year and 25-year floodplains of Shoal Creek at Pease Park.
The public hearing was closed on Council Member Alvarez' motion, Council Member Dunkerley's second on a 5-0 vote. Mayor Pro Tem Goodman and Council Member Slusher were off the dais.

Ordinance No. 030320-52 was approved on Council Member Alvarez' motion, Council Member Thomas' second on a 5-0 vote. Mayor Pro Tem Goodman and Council Member Slusher were off the dais.

ZONING DISCUSSION ITEMS

- Z-36 C14-02-0154 - McDougal Property - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Windy Ridge Road at North F.M. 620 North (Lake Travis Watershed) from SF-2 Single Family Residence Standard Lot district zoning and DR Development Reserve district zoning to CS General Commercial Services district zoning. Zoning and Platting Commission Recommendation: To grant W/LO-CO Warehouse/Limited Office-Conditional Overlay Combining district zoning. Applicant: Gerald Mc Dougal. Agent: McLean and Howard (Bill McClean). City Staff: Glenn Rhoades, 974-2775. Note: A valid petition has been filed in opposition to this rezoning request. (Continued from 2/27/03)
The public hearing was closed on Council Member Slusher's motion, Council Member Dunkerley's second on a 7-0 vote.

The first reading of the ordinance for GR-CO Community Commercial-Conditional Overlay Combining district zoning for the first 700 feet adjacent to RM 620 and RR Rural Residence district zoning for the balance of the property was approved on Council Member Slusher's motion, Council Member Wynn's second on a 7-0 vote.

19. Approve an ordinance amending Title 25 of the City Code relating to development around hazardous liquid pipelines, creating a new Chapter 8-18 of the City Code relating to insurance requirements for hazardous pipelines, amending Ordinance 020910-04 to add to the Building Plan Review Fee, a new Hazardous Pipeline Review Fee, and creating offenses. (Recommended by Environmental Board; Planning Commission; and no recommendation made by Building and Fire Code Board.)
This item was postponed to (two weeks) on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second on a 7-0 vote.

27. C14-02-0133 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2007 West Koenig Lane (Shoal Creek Watershed) from SF-3, Family Residence district zoning to LO, Limited Office district zoning as originally requested by the applicant. City Council approved NO, Neighborhood Office district, zoning at second reading. First Reading on October 24, 2002; Vote: 5-0, B. Dunkerley-absent, G. Garcia-off dais. Second Reading on January 30, 2003; Vote: 6-1, G. Garcia-nay. Conditions met as follows: No conditions were imposed at second ordinance reading. Applicant: Virgilio Escutia. Agent: Brad Greenblum. City Staff: Glenn Rhoades, 974-2775.
The motion to zone the property LO CO including all NO uses plus a medical office under 5,000 square feet was made by Council Member Dunkerley and seconded by Mayor Garcia.

The substitute motion for NO zoning was approved on Mayor Pro Tem Goodman's motion; Council Member Alvarez' second on a 4-3 vote. Those voting aye were: Mayor Pro Tem

Goodman, and Council Members Alvarez, Slusher and Thomas. Those voting nay were: Mayor Garcia and Council Members Dunkerley and Wynn.

The motion was approved to allow Council to meet after 10:00 p.m. on Council Member Wynn's motion, Council Member Alvarez' second on a 7-0 vote.

23. Approve an ordinance establishing procedures for amending the neighborhood plan elements of the Austin Tomorrow Comprehensive Plan. (Planning Commission adopted a resolution establishing a neighborhood plan amendment process and criteria for employing the process.) (3rd reading) (Adopted by Planning Commission) (Related Item 24)

The motion to amend page 2, line 8 and page 3, line 23, defining hardship for exemption from the one year waiting period and criteria for amendment, in the original ordinance language, was approved on third reading on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 6-1 vote. Council Member Alvarez voted nay. The language will now read, "...denial would result in a hardship to the applicant."

The motion to change page 3, line 28 criteria for any amendment in the original ordinance language, on third reading to split the sentence into two separate items, and include in the factors to be considered for plan amendments, instead of requirements for plan amendment, was approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second, on a 6-1 vote. Council Member Alvarez voted nay.

The motion to amend page 3, line 30, outreach requirements, was approved on third reading on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 4-3 vote. Those voting aye were Mayor Garcia, Mayor Pro Tem Goodman, and Council Members Alvarez and Thomas. Those voting nay were Council Members Dunkerley, Slusher and Wynn. The language will now read, "Outreach has been conducted to the following groups: neighborhood associations in the plan area, neighborhood plan contact team or neighborhood planning team, and property owners within 300' of subject property." If a proposal is not supported by the Neighborhood Plan Contact Team, a 3/4 vote of Council would be necessary to approve.

The motion to approve the following staff recommendation for non-substantive/corrective language changes was approved on third reading on Mayor Pro Tem Goodman's motion, Council Member Alvarez' second on a 7-0 vote. The changes were as follows:

Page 1, line 29; page 2, line 22; and page 3, line 2, for all area-wide recommendations, include the words "and subdistrict-wide."

Page 2, line 1, change "effective date of this ordinance" to "Plans adopted before August 1, 2002."

Page 2, lines 19 and 22, change "Neighborhood Plan Contact Team" to "Neighborhood Plan Contact Team or Neighborhood Planning Team."

Page 4, line 6, remove "the proposed amendment is compatible with existing or permitted uses on adjacent property regarding use, building height, bulk, scale, and setbacks; and..." and change to "Proposed amendment is consistent with sound planning principles."

Page 4, line 8, remove, "the proposed amendment would not increase the potential for unfavorable effects on existing or permitted uses on adjacent property above those effects that may reasonably result from the use of the site by a permitted use."

The motion to amend page 3, line 12, criteria for approval, on third reading was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 7-0 vote.

The language will now read, "The director may not recommend an application to amend a neighborhood plan unless it meets the following criteria:".

The motion to amend page 3, line 14, criteria for an amendment, on third reading was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 7-0 vote. The language will now read, "An applicant must demonstrate that one of the following is true:".

The motion to amend page 4, line 11, sunset provisions, on third reading was approved on Mayor Pro Tem Goodman's motion, Council Member Thomas' second on a 7-0 vote. The language will now read, "The City Manager shall provide a report to the Council during January 2006 regarding the neighborhood plan amendment process established in this ordinance."

24. Approve an ordinance to amend Ordinance No. 020910-04, the Fiscal Year 2002-2003 Neighborhood Planning and Zoning Department Fee Schedule, to establish a new neighborhood plan amendment application fee of \$450 for notification of a neighborhood plan amendment regarding an individual property. (The Neighborhood Planning and Zoning Department anticipates that this fee will generate \$5,400 in revenue per year and anticipates collecting \$2,700 in revenue in the remainder of Fiscal Year 2003.) (Planning Commission adopted a resolution establishing a neighborhood plan amendment process and criteria for employing the process.) (Related Item 23)

The first reading of the ordinance was approved on Mayor Pro Tem Goodman's motion, Mayor Garcia's second on a 7-0 vote.

The motion to adjourn the meeting at 10:38 p.m. was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

The minutes for the regular meeting of March 20, 2003 were approved on March 27, 2003 on Mayor Pro Tem Goodman's motion, Council Member Wynn's second on a 7-0 vote.

The minutes for the regular meeting of March 20, 2003 were amended and approved on May 8, 2003 on Council Member Slusher's motion, Council Member Thomas' second on a 7-0 vote. The following amendments were made:

- Z- 31 C14-02-0164 - Southwest Parkway - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Southwest Parkway at Travis Cook Road and Old Bee Caves Road at Bell Drive (Barton Creek and Williamson Creek Watersheds-Barton Springs Zone) from RR, Rural Residence district zoning and DR, Development Reserve district zoning to MF-1-CO, Multifamily Residential Limited Density-Conditional Overlay Combining district zoning. Zoning and Platting Commission Recommendation: To grant MF-1-CO, Multifamily Residence Limited Density-Conditional Overlay Combining district zoning. Applicant: Lamar Mathis, Esther B Martinez, Earl Tipton. Agent: Urban Design Group (Laura Touns) City Staff: Annick Beaudet, 974-2975.

PREVIOUS WORDING

The public hearing was closed on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Mayor Garcia was off the dais.

The first reading of the ordinance adopting staff's recommendation for MF-1-CO district zoning was approved with the following friendly amendment on Council Member Dunkerley's motion, Council Member Wynn's second on a 6-0 vote. Mayor Garcia was off

the dais. The friendly amendment from Mayor Pro Tem Goodman was to prohibit access from Bee Caves and grant access from Travis Hill.

NEW WORDING

The public hearing was closed on Council Member Sluser's motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Mayor Garcia was off the dais.

The first reading of the ordinance adopting staff's recommendation for MF-1-CO district zoning was approved with the following friendly amendment on Council Member Dunkerley's motion, Council Member Wynn's second on a 5-1 vote. Council Member Slusher voted nay. Mayor Garcia was off the dais. The friendly amendment from Mayor Pro Tem Goodman was to prohibit access from Bee Caves and grant access from Travis Hill.