



**Austin City Council
MINUTES**

**REGULAR MEETING
THURSDAY, MARCH 4, 2004**

Invocation: Chaplain Donald E. Brewington, Huston-Tillotson College

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 4, 2004 in the Board Room at Lower Colorado River Authority Hancock Building, 3700 Lake Austin Boulevard.

Mayor Wynn called the Council Meeting to order at 10:12 a.m.

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 Council Member Dunkerley's motion, Council Member Thomas' second on a 6-0 vote. Council Member McCracken was absent.

1. Approval of minutes from the meeting of February 26, 2004.
The minutes from the meeting of February 26, 2004 were approved.
2. Authorize execution of a 30-month Interlocal Agreement with the State Energy Conservation Office (SECO) for the administration of a grant from the U.S. Department of Energy to expand Austin Energy's Residential Total Home Efficiency Program. (Recommended by the Resource Management Commission. Recommended by the Electric Utility Commission.)
The motion authorizing the execution of an Interlocal Agreement was approved.
3. Approve issuance by Moore's Crossing Municipal Utility District of Unlimited Tax and Revenue Refunding Bonds, Series 2003, in an amount not to exceed \$1,382,000; approving a substantial draft of the District's Bond Resolution and Preliminary Official Statement. (The City is not responsible for payment of District bond debt service until annexation and dissolution of the District. If annexation occurs, the avoided debt service associated with the refunding would also benefit the City of Austin. There is no anticipated fiscal impact. A fiscal note is not required.)
The motion authorizing the issuance by Moore's Crossing Municipal Utility District of Unlimited Tax and Revenue Refunding Bonds was approved.

4. Approve a resolution acknowledging support of the Austin Police Department Training Academy as required by the Texas Commission on Law Enforcement Standards and Education licensing requirements for all law enforcement academies.
Resolution No. 040304-4 was approved.
5. Authorize an application for \$689,466 in continuation grant funds from the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office, "Grants to Encourage Arrest Policies and Enforcement of Protection Orders" to provide comprehensive services to the victims of domestic violence. (Funding is available from the U.S. Department of Justice, Office of Justice Programs, Violence Against Women Grants Office "Grant to Encourage Arrest Policies and Enforcement of Protection Orders" for the 24-month grant period September 1, 2004 through October 31, 2006.)
The motion authorizing an application was approved.
6. Approve a resolution to authorize the acquisition of a 2.996 acre tract out of the Noel Bain Survey #1, Abstract 61, locally known as 7516-B Towery Lane and a 1985 manufactured home, three outbuildings and a satellite dish located on said property, from James Curtis Williams, Sr. and Merle Williams and Betty Jo Williams for the Airport Noise Mitigation Program, in the amount of \$24,000 for the improvements and \$63,988 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$97,988. (Funding in the amount of \$97,988 is available in Fiscal Year 2003-2004 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.)
Resolution No. 040304-6 was approved.
7. Approve a resolution authorizing the filing of eminent domain proceedings to acquire a permanent detention and water quality pond easement containing 0.4875 of an acre of land out of Lot 1, Block A, Springfield Section Twelve in Travis County, TX, located at 6500 East William Cannon Drive, from FC PROPERTIES ONE, LTD., in the amount of \$27,235 for the East William Cannon Detention & Water Quality Pond Project. (Funding is available in the Fiscal Year 2000-2001 Amended Capital Budget of the Transportation, Planning & Sustainability Department.)
Resolution No. 040304-7 was approved.

Items 8 and 9 were pulled for discussion.

10. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with Travis County for relocation of existing water facilities of the City of Austin as a part of the Anderson Mill Road and Drainage Improvement project, in an amount not to exceed \$550,000. (Funding is included in Fiscal Year 2003-2004 Approved Capital Budget of the Austin Water Utility.)
Resolution No. 040304-10 was approved.
11. Authorize execution of Change Order #6 to a Contract with J.F. WHITE CONTRACTING CO., Framingham, MA, for claims associated with the completion of the Onion Creek Tunnel Emergency Inspection & Liner Removal Project in an amount not to exceed \$60,897.63, for a total revised contract amount not to exceed \$6,296,516.35. (Funding in the amount of \$60,897.63 is available in the 2003-2004 Capital Budget of the Austin Water Utility.) 3.9% MBE and 2.1% WBE subcontractor participation to date.
The motion authorizing the execution of Change Order #6 to a Contract was approved.

12. Approve issuance of a Street Event Permit to Fado's Irish Pub to close the 200 block of West 4th Street from March 17, 2004, beginning at 6:00 a.m. through March 18, 2004 at 6:00 a.m., for the St. Patrick's Day Festival fee paid event.

The motion authorizing the issuance of a Street Event Permit was approved.

13. Approve execution of an Advanced Funding Agreement with Texas Department of Transportation (TxDOT) for the construction of a right-turn lane on RR 620 to Anderson Mill Road, in the amount of \$182,977.98. (Funding is available from an escrow account collected from the developer to pay for this work.)

This item was postponed to March 25, 2004.

14. Approve an ordinance to annex the ZT Scott Area (Approximately 275 acres) located in Travis County, approximately one tenth of a mile south of the intersection of Bradshaw Road and Old Lockhart Highway, and waive zoning application fees for the property within the annexed area for a period of one year from the effective date of annexation. (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments providing the services.)

Ordinance No. 040304-14 was approved.

15. Approve an ordinance to annex the Prosser Estate Area (Approximately 21 acres) located in Travis County west of Bradshaw Road, approximately three tenths of a mile north of the intersection of River Plantation Drive and Bradshaw Road, and waive zoning application fees for the property within the annexed area for a period of one year from the effective date of annexation. (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments providing the services.)

Ordinance No. 040304-15 was approved.

16. Approve an ordinance to annex the Northtown Triangle Area (Approximately 0.105 acres) located in Travis County north of Howard Lane, approximately one-half mile east of the intersection of IH-35 and Howard Lane, and to grant LI interim zoning, and waive zoning application fees for the property within the annexed area for a period of one year from the effective date of annexation. (Funding necessary to provide general governmental services to this tract is available in the budgets of the departments providing the services.)

Ordinance No. 040304-16 was approved.

17. Board and Commission Appointments.

The following appointments were made:

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Child Care Council</u>		
Susan Bright	Consensus	Appointment
Cristela Perez	Consensus	Appointment
<u>Community Development Commission</u>		
Camile Pahwa	Consensus	Reappointment
<u>Environmental Board</u>		
Timothy Jones	Council Member Slusher's	Reappointment
<u>Ethics Review Commission</u>		

Jose de la Fuente

Council Member McCracken's

Appointment

Music Commission

Natalie Zoe

Council Member Slusher's

Reappointment

Luis Zapata

Council Member Alvarez'

Reappointment

Items 18 through 20 were pulled for discussion.

21. Set a public hearing for the full purpose annexation of Double Creek Village (Approximately 133 acres located in Travis County at the intersection of FM 1626 and IH 35). (Suggested dates and times: March 25, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building, and April 1, 2004 at 6:00 p.m. Lower Colorado River Authority Hancock Building).
The public hearings were set for March 25 and April 1, 2004 at 6:00 p.m., Lower Colorado River Authority Hancock Building.
22. Set a public hearing on community needs in order to develop the following documents: (1) the Five-year Consolidated Plan for 2005-2009, which is the document submitted by the City to the U.S. Department of Housing and Urban Development that serves as the planning document of the City and an application for federal funding; (2) the 2004-2005 Action Plan, which is a description of the activities the City will undertake during the year to address priority community-development needs, and (3) the 2004-2005 Community Development Program, which addresses the City's efforts to improve the living and economic conditions of persons of low- and moderate-income, benefit low- or moderate-income neighborhoods, aid in the prevention or elimination of slums and blighted areas, aid federally assisted new communities, and meet other community development needs. The public hearing is required by HUD and by Chapter 373 of the Texas Local Government Code, and is in accordance with the City's Citizen Participation Plan, which sets forth the City's policies and procedures for citizen participation in the Consolidated Plan. (Suggested date and time: March 11, 2004 at 6:00 p.m., Lower Colorado River Authority, Hancock Building)
The public hearing was set for March 11, 2004 at 6:00 p.m., Lower Colorado River Authority Hancock Building.

Item 23 through 25 were Executive Session items.

Items 26 and 27 were Briefing items

Items 28 and Z-1 through Z-16 were Zoning items set for 4:00 P.M. time certain.

DISCUSSION ITEMS

8. Authorize negotiation and execution of an agreement with GOLDSTAR INVESTMENTS LTD, Austin, TX, for a two-year lease of approximately 30,000 square feet of warehouse space located at 921 Reinli, Austin, TX, for use by Parks and Recreation Department's Trail of Lights Program and Financial and Administrative Services Department's Surplus Property Distribution Center, in an amount not to exceed \$282,000. (Funding in the amount of \$93,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Financial and Administrative Services Department of the Support Services Fund. Funding for the remaining 18 months of the lease period is contingent upon available funding in future budgets.)
The motion authorizing the negotiation and execution of an agreement was approved on Council Member Thomas' motion, Council Member Slusher's second on a 6-0 vote. Council Member McCracken was absent.

9. Authorize the negotiation and execution of an agreement with SAN ANTONIO REALTY HOLDING COMPANY, INC., New York, NY, for a three-year lease of 10,000 square feet of warehouse space located at 6014 Techni Center Drive, Austin, TX, for use by the Transportation, Planning and Sustainability Department, in an amount not to exceed \$159,900. (Funding in the amount of \$33,900 is available in the Fiscal year 2003-2004 Approved Operating Budget of the Financial and Administrative Services Department of the Support Services Fund. Funding for the remaining 30 months of the lease period is contingent upon available funding in future budgets.) **The motion authorizing the negotiation and execution of an agreement was approved on Council Member Thomas' motion, Council Member Slusher's second on a 6-0 vote. Council Member McCracken was absent.**

Mayor Wynn recessed the Council Meeting to go into Executive Session at 10:25 a.m.

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.

Private Consultation with Attorney - Section 551.071

23. Discuss legal issues relating to the labor negotiations for a Meet and Confer contract with the Austin Police Association.
24. Discuss legal issues related to meet and confer and collective bargaining for the Austin Fire Department.

Item 25 was discussed later in executive session.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:15 p.m.

CITIZEN COMMUNICATIONS: GENERAL

Jennifer L. Gale - Are our Children an afterthought? Why after one week did the A.A. Statesman, A. Chronicle and Daily Texan not cover the Filings of A.I.S.D. Board of Trustee's Candidates?

Mary Lehmann - Mueller Update

Robert Singleton - Mueller Update

Larry Malone - Zoning for Morrow St. (Huntsmen Property). **He was not present when his name was called.**

Akwasi Evans - City Disparity in Allocating Resources. **He was not present when his name was called.**

Gavino Fernandez Jr. - VOTE! VOTE! VOTE! EL Concilio a coalition of Mexican-American neighborhoods strongly encourages registered voters to VOTE in the March 9, 2004 Primaries. Our destiny is in our hands.

BRIEFINGS

27. Briefing regarding the final terms of the proposed Meet and Confer agreement with the Austin Police Association.
The presentation was made by Laura Huffman, Assistant City Manager and Stanley Knee, Chief of Police.

DISCUSSION ITEMS CONTINUED

19. Approve a resolution regarding the management services contract of the Austin Music Network. (Mayor Will Wynn and Council Member Brewster McCracken)
This item was withdrawn from the agenda.
20. Approve a resolution directing the City Manager, in preparation for next year's budget, to facilitate the development of a new mechanism for the operation of the access channel currently known as the Austin Music Network that would assure that the cable channel is an effective economic development tool that functions as a regional showcase for Austin area arts and music, without any contributions from the City's general fund. (Mayor Pro Tem Jackie Goodman and Council Member Raul Alvarez)
Resolution No. 040304-20 was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 4-2 vote. Those voting aye were: Mayor Pro Tem Goodman and Council Members Alvarez, Dunkerley and Thomas. Those voting nay were: Mayor Wynn and Council Member Slusher. Council Member McCracken was absent or Wynn's friendly amendment (as follows) was not accepted by the maker of the motion. He proposed that the phrase, "contributions from the City's general fund" be deleted and replaced with "without any public dollars".
26. Briefing regarding results of a report drafted by Deloitte Consulting, LLP, concerning subdivision review process in the City's extraterritorial jurisdiction.
The presentation was made by Carla Steffen, Finance Department and Pat Murphy, Watershed Protection Development Review.

Mayor Wynn recessed the Council Meeting at 3:45 p.m.

Mayor Wynn called the Council Meeting back to order at 4:11 p.m.

ZONING ITEMS

28. C14-03-0165 - Shaid Zoning - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3206 West Slaughter Lane (Slaughter Creek Watershed-Barton Springs Zone) from interim-rural residence (I-RR) district zoning to townhouse & condominium residence (SF-6) district zoning. First reading on February 5, 2004. Vote: 6-1, D. Slusher - nay). Conditions met as follows: Conditional Overlay and Restrictive Covenant incorporates the conditions imposed or accepted by City Council at first ordinance reading. Applicant: Orrin Shaid and Orrin Shaid III. Agent: Crocker Consultants (Sarah Crocker). City Staff: Wendy Walsh, 974-7719.

This item was postponed to March 25, 2004 on Council Member Alvarez' motion, Mayor Wynn's second on a 5-0 vote. Mayor Pro Tem Goodman was off the dais. Council Member McCracken was absent.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Mayor Pro Tem Goodman's motion, Council Member Dunkerley's second on a 6-0 vote. Council Member McCracken was absent.

Item Z-1 was pulled for discussion.

- Z-2 Conduct a public hearing and approve an ordinance to amend the Central East Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the Future Land Use Map from single-family residential land use designation to a multi-family residential land use designation for 2017 & 2101 E. 8th Street. (Planning Commission Recommendation: To deny the plan amendment request. Vote: 5-0. (NS-1st, MC-2nd; MA & DS-absent, LO-on leave).) (Related Item Z-14)

This item was postponed to May 13, 2004 at the applicant's request.

- Z-3 C14-03-0186 - Tobin Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9212 South IH-35 Service Road Southbound (Onion Creek Watershed) from single-family residence standard lot (SF-2) 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 with conditions. Applicant: Slaughterway Retail, Ltd. (Andy Pastor). Agent: Doucet & Associates, Inc. (Ted McConaghy). City Staff: Wendy Walsh, 974-7719.

Ordinance No. 040304-Z-3 for community commercial-conditional overlay (GR-CO) combining district zoning with conditions was approved.

- Z-4 C14-03-0149 - Carmel Valley - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12000 Block of Dessau Road (Walnut Creek Watershed) from multi-family residence medium density-conditional overlay (MF-3-CO) combining district zoning to multi-family residence medium density (MF-3) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence medium density (MF-3) district zoning with conditions. Applicant: Wayne Harwell Properties, inc. (Wayne Harwell). Agent: Urban Design Group (Ruth Belmarez). City Staff: Sherri Gager, 974-3057.

This item was postponed to April 1, 2004 at the neighborhood associations request.

- Z-5 C14-03-0181 - Graffiti's Deli - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2401 West Howard Lane (Walnut Creek Watershed) from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Applicant: Lester H. Craver. Agent: Lopez-Phelps & Associates (Amelia Lopez-Phelps). City Staff: Sherri Gager, 974-3057.

Ordinance No. 040304-Z-5 for commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning was approved.

- Z-6 C14-03-0184 - Schuh Driveway - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10104 Diamondback Trail (Little Walnut Creek Watershed) from single-family residence standard lot (SF-2) district zoning to limited office (LO) district zoning. Zoning and Platting Commission Recommendation: To grant limited office (LO) district zoning. Applicant: Oak and Pine Superstore (Dwain Schuh). Agent: Land Answers (Jim Wittliff). City Staff: Sherri Gager, 974-3057.
Ordinance No. 040304-Z-6 for limited office (LO) district zoning was approved.
- Z-7 C14-03-0188 - Cedar Elm/BWL - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13201-13205 Burnet Road (Walnut Creek Watershed) from general office (GO) district zoning to community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning. Applicant: Austin Bay Inc. (Henry W. Branson, III). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Sherri Gager, 974-3057.
Ordinance No. 040304-Z-7 for community commercial (GR) district zoning was approved.
- Z-8 C14r-86-068 (RCA) - Cedar Elm - Conduct a public hearing and approve a restrictive covenant amendment for the property locally known as 13205 Burnet Road (Walnut Creek Watershed). Zoning and Platting Commission Recommendation: To grant restrictive covenant amendment. Applicant: Austin Bay Inc. (Henry W. Branson, III). Agent: Bennett Consulting (Jim Bennett). City Staff: Sherri Gager, 974-3057.
The motion authorizing the restrictive covenant amendment was approved.
- Z-9 C14-04-0002 - Canyon Creek West, Section One - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 10012-10129 Barbrook Drive and 11400-11419 Barbrook Cove (Bull Creek Watershed) from interim-rural residence (I-RR) district zoning and interim-single-family residence standard lot (I-SF-2) district zoning to single-family residence standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence standard lot (SF-2) district zoning. Applicant: Shoal Creek Properties, Ltd. (Fred Eppright). Agent: Huffcut & Associates, Inc. (Mike Wilson). City Staff: Sherri Gager, 974-3057.
Ordinance No. 040304-Z-9 for single-family residence standard lot (SF-2) district zoning was approved.
- Z-10 C14-04-0003 - Canyon Creek West, Section Three - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9800-9920 Savannah Ridge Drive (Bull Creek Watershed) from interim-rural residence (I-RR) district zoning and interim-single-family residence standard lot (I-SF-2) district zoning to single-family residence-standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot (SF-2) district zoning. Applicant: Shoal Creek Properties, Ltd. (Fred Eppright). Agent: Huffcut & Associates, Inc. (Mike Wilson). City Staff: Sherri Gager, 974-3057.
Ordinance No. 040304-Z-10 for single-family residence-standard lot (SF-2) district zoning was approved.
- Z-11 C14-03-0137 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 500 East Ben White Boulevard (Blunn Creek Watershed) from family residence (SF-3) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission

Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Applicant: Galaxie Corporation. Agent: Doucet & Associates (Carol M. Stewart). City Staff: Annick Beaudet, 974-2975.

The first reading of the ordinance was approved.

- Z-12 C14-03-0182 - Asian Market - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 901 West Braker Lane (Walnut Creek Watershed) from general office (GO) district zoning to general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Hill Country Dairies (Dan McMahon). Agent: Vision Design Group (Andrew Guzman). City Staff: Glenn Rhoades, 974-2775.

The first reading of the ordinance was approved.

- Z-13 C14-03-0183 - St. Albert the Great Catholic Church - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12041 Bittern Hollow (Walnut Creek Watershed) from single-family standard lot (SF-2) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Applicant: Catholic Diocese of Austin (Gregory Aymond). Agent: Bury and Partners (James Schissler). City Staff: Glenn Rhoades, 974-2775.

Ordinance No. 040304-Z-13 for limited office-conditional overlay (LO-CO) combining district zoning was approved.

- Z-14 C14-03-0096 - Central East Austin Planning Area Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2017 and 2101 East 8th Street (Town Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence medium density (MF-3-CO) combining district zoning. Planning Commission Recommendation: To deny multifamily residence moderate-high density (MF-4) district zoning. Applicant: Louree Atkins. Agent: Bernice Butler. City Staff: Annick Beaudet, 974-2975 (Related Item Z-2)

This item was postponed to May 13, 2004 at the applicant's request.

Item Z-15 was pulled for discussion.

- Z-16 C14-03-0154.SH - Steiner Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7300-7320 Riverside Drive and 900 Bastrop Highway (Tracts 1, 2, 4 and 5)(Carson Creek Watershed) from townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO) combining district zoning, multi-family residence medium density-conditional overlay-neighborhood plan (MF-3-CO) combining district zoning, and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to single-family residence small lot (SF-4A) district zoning. Planning Commission Recommendation: To grant single-family residence small lot (SF-4A) district zoning for Tracts 1, 2, and 4, and to deny single-family residence small lot (SF-4A) district zoning for Tract 5. Applicant: Robert Steiner. Agent: Minter, Joseph, and Thornhill, P.C. (John Joseph, Jr.). City Staff: Annick Beaudet, 974-2975.

Ordinance No. 040304-Z-16 for single-family residence small lot (SF-4A) district zoning for Tracts 1, 2 and 4 was approved. SF-4-A zoning for Tract 5 was denied.

ZONING DISCUSSION ITEMS

- Z-1 Conduct a public hearing and consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Crestview/Wooten Combined Neighborhood Plan for the area bounded by Burnet Road to the west, US 183 to the north, US 183 and Lamar to the east, and Justin Lane to the south. (There is no fiscal impact associated with adopting the Crestview/Wooten Combined Neighborhood Plan. An estimate of the fiscal impact to implement all of the recommendations in the plan is \$1,850,625. This plan is advisory and does not legally obligate the Council to implement any particular recommendation.) (Planning Commission Recommendation: To recommend the Crestview/Wooten Combined Neighborhood Plan to the Council for adoption.) (Related Item Z-15)

The motion to approve the first reading of the Neighborhood Plan, as recommended by the Planning Commission, with the exception of those properties listed below that have valid petitions, was approved on Council Member Dunkerley's motion, Mayor Wynn's second on a 6-0 vote. Council Member McCracken was absent.

The motion to approve the first reading for Tract 149 (808 and 906 Justin Lane) for Mixed Use zoning, as recommended by the Planning Commission, was approved on Council Member Alvarez' second, Mayor Wynn's second on a 6-0 vote. Council Member McCracken was absent.

The motion to approve the first reading for Tract 146 (Crestview Shopping Center), as recommended by the Planning Commission, was approved on Council Member Alvarez' second, Mayor Wynn's second on a 6-0 vote. Council Member McCracken was absent.

- Z-15 C14-04-0004 - Crestview /Wooten Neighborhood Plan Combining District Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as the Crestview/Wooten Combined Neighborhood Plan Area, bounded on the north by Research Boulevard, on the east by Lamar Boulevard, on the south by Justin Lane, and on the west by Burnet Road (Little Walnut Creek; Shoal Creek and Waller Creek Watersheds.) The proposed zoning change will create two Neighborhood Plan Combining Districts (NPCD) covering the entire area. Under the proposed Wooten NPCD, "Small Lot Amnesty," "Front Porch Setback," and "Impervious Cover and Parking Placement Restrictions" are proposed for the entire area and the Cottage, Secondary Apartment, and Urban Home special uses are proposed for the Fireside Loop subdistrict which, includes all lots adjoining Fireside Drive, Hearthside Drive, and Putnam Drive north of Joy Lane. The Neighborhood Mixed Use Building special use is proposed for Tracts 4-6, 8, 9, 13-17, 20-22, 24-40, and 42-51, and the Neighborhood Urban Center special use is proposed for Tracts 1-3, 6, and 16. Under the proposed Crestview NPCD, "Small Lot Amnesty," "Front Porch Setback," "Garage Placement Restrictions" and "Impervious Cover and Parking Placement Restrictions" are proposed for the entire area. The Residential Infill special use is proposed for Tract 160a, the Neighborhood Mixed Use Building special use is proposed for Tracts 101a, 105-111, 113-117, 119-126, 130b, 137-139, 145, 147, 149-151 and 160a, and the Neighborhood Urban Center special use is proposed for Tracts 101, 102, and 160. The proposed zoning change will also change the base district zoning on 120 tracts of land from: interim-family residence (I-SF-3) district zoning; family residence (SF-3) district zoning; multi-family residence low density (MF-2) district zoning; multi-family residence medium density (MF-3) district zoning; multi-family residence moderate-high density (MF-4) district zoning; limited office (LO) district zoning; limited office-conditional overlay (LO-CO) combining district zoning; general office (GO) district zoning; general office-conditional overlay (GO-CO) combining district zoning; neighborhood commercial (LR) district zoning; community commercial (GR) district zoning;

community commercial-mixed use (GR-MU) combining district zoning; community commercial-conditional overlay (GR-CO) combining district zoning; general commercial services (CS) district zoning; general commercial services-conditional overlay (CS-CO) combining district zoning; commercial-liquor sales (CS-1) district zoning; commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning; and limited industrial services (LI) district zoning to: family residence-neighborhood plan (SF-3-NP) combining district zoning; townhouse & condominium residence-neighborhood plan (SF-6-NP) combining district zoning; multi-family residence low density-neighborhood plan (MF-2-NP) combining district zoning; multi-family residence medium density-neighborhood plan (MF-3-NP) combining district zoning; multi-family residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning; limited office-neighborhood plan (LO-NP) combining district zoning; limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning; limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning; general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning; neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning; community commercial-neighborhood plan (GR-NP) combining district zoning; community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning; community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning; community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning; general commercial services-neighborhood plan (CS-NP) district zoning; general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning; commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning; commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning; commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning; commercial-liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning; commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning; commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning; limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning; limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning; and public-neighborhood plan (P-NP) combining district zoning. Planning Commission Recommendation: To grant the request with conditions. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Walsh, 974-7719. Note: Valid petition(s) has been filed in opposition to this rezoning request. (Related Item Z-1)

The first reading of the motion to approve the Planning Commission's recommendation for Tract 146 (Crestview Shopping Center) for CS-CO-NP zoning was approved on Council Member Alvarez' motion, Mayor Wynn's second on a 6-0 vote. Council Member McCracken was absent.

The first reading of the motion to approve the Planning Commission's recommendation for Tract 149 (808 and 906 Justin Lane) for CS-NP zoning was approved on Council Member Alvarez' motion, Council Member Thomas' second on a 6-0 vote. Council Member McCracken was absent.

The first reading of the motion to approve the NPCD rezonings as recommended by the Planning Commission, with the exception of Tract 146 and 808 and 906 Justin Lane (as stated above), was approved on Council Member Alvarez' motion, Mayor Pro Tem Goodman's second on a 6-0 vote. Council Member McCracken was absent.

LIVE MUSIC

Judy Arnold

PROCLAMATIONS

Community Service Award - Lt. Ernie Pedraza - to be presented by Mayor Will Wynn and to be accepted by the honoree

Mayor Wynn recessed the Council Meeting to go into Executive Session at 6:04 p.m.

EXECUTIVE SESSION

Personnel Matters - Section-551.074

25. Evaluate the performance of and consider compensation and benefits for the Municipal Court Clerk. (Related Item 18)

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 7:12 p.m.

DISCUSSION ITEMS CONTINUED

18. Approve an ordinance establishing a new compensation and benefits package for the Municipal Court Clerk and repealing Sections A and B (current compensation and benefits package) of Part I of Ordinance No. 030227-65. (Related Item 25)(Mayor Will Wynn)
The motion to postpone this item to March 25, 2004 was approved on Mayor Pro Tem Goodman's motion, Mayor Wynn's second on a 6-0 vote. Council Member McCracken was absent.

The motion to adjourn the meeting at 7:12 p.m. was approved on Council Member Thomas' motion, Council Member Slusher's second on a 6-0 vote. Council Member McCracken was absent.

The minutes for the Regular Meeting of March 4, 2004 were approved on this the 11th day of March, 2004 on Council Member Alvarez' motion, Council Member Thomas' second on a 7-0 vote.