

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, JANUARY 12, 2006**

Invocation: Pastor George Holcombe, Asbury United Methodist Church

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, January 12, 2006 in the Council Chambers of City Hall, 301 W. 2nd Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:18 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 McCracken's motion, Council Member Dunkerley's second on a 5-0 vote. Mayor Pro Tem Thomas was absent. Council Member Alvarez was off the dais.

1. Approval of the minutes from the meeting of December 15, 2005.
The minutes from the meeting of December 15, 2005, were approved.
2. Approve an ordinance authorizing the acceptance of grant funds in the amount of \$23,500 from the United States Department of Energy through the State of Texas Energy Conservation Office (SECO); and amending the Fiscal Year 2005-2006 Austin Energy Operating Budget of Ordinance No. 050912-001 to appropriate \$23,500 for the purpose of continuing the Clean Cities Program for the grant period of February 1, 2006, through August 31, 2006. (Funding in the amount of \$23,500 in grant funds is available from the State of Texas Energy Conservation Office.) (Recommended by the Electric Utility Commission.)
Ordinance No. 20060112-002 was approved.
3. Approve a resolution authorizing negotiation and execution of an Interlocal Agreement with the State of Texas Energy Conservation Office (SECO) to extend the City's involvement in the Clean Cities program with funding from February 1, 2006 to August 31, 2006 in an amount not to exceed \$23,500. (Grant funding is available from the State of Texas Energy Conservation Office.) (Recommended by the Electric Utility Commission.)
Resolution No. 20060112-003 was approved.

4. Amend the Fiscal Year 2005-2006 Economic Growth and Redevelopment Services Office Operating Budget Special Revenue Fund of Ordinance No. 20050912-001 to appropriate funds to adopt a budget for the Downtown Austin Public Improvement District with a beginning balance in the amount of \$315,050, Revenue in the amount of \$1,501,458 and Requirements in the amount of \$1,401,458. (Funding is available through \$1,287,980 in 2006 assessments (at a 96.24% collection rate); \$63,478 in collections from 2005, interest accrued in the PID account and late payments; a \$150,000 annual contribution from the City of Austin (\$75,000 from Austin Convention Center Fund, and \$75,000 from Water and Wastewater Utility Fund).)
Ordinance No. 20060112-004 was approved.
5. Amend the Fiscal Year 2005-2006 Operating Budget for Economic Growth and Redevelopment Services Office Revenue Fund of Ordinance 20050912-01 to appropriate funds to adopt a budget for the East Sixth Street Public Improvement District (PID), with a beginning balance of \$6,347, Revenue of \$79,065 and Requirements of \$75,065. (\$775 in interest accrued in the PID account and late payments, and funding in the amount of \$36,304 is available through 2006 assessments (at a 90.13% collection rate), a \$43,500 contribution from the City of Austin, reduced by a \$1,514 shortfall in 2005 collections.)
Ordinance No. 20060112-005 was approved.
6. Approve execution of a 12-month services agreement with INDIGENT CARE COLLABORATION (ICC), Austin, TX to provide project management, research and technical assistance services for the City in an amount not to exceed \$75,000. (Funding in the amount of \$75,000 is available in the 2005-06 Special Operating Budget of the Health and Human Services Department, the Robert Wood Johnson Foundation Grant. The service agreement is from December 1, 2005 through November 31, 2006.)
The motion authorizing the execution of a services agreement was approved.
7. Approve an ordinance authorizing acceptance of grant funds in the amount of \$24,283 from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, INFECTIOUS DISEASE INTERVENTION AND CONTROL BRANCH, REFUGEE HEALTH SCREENING PROGRAM, Austin, TX, and amending the Fiscal Year 2005-2006 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20050912-001, to appropriate \$24,283, for a total grant amount of \$194,283 for the Refugee Health Screening Program to provide comprehensive health screenings to refugees newly arrived to Austin and Travis County. (Funding in the amount of \$194,283 is available from the Texas Department of State Health Services, Infectious Disease Intervention and Control Branch, Refugee Health Screening Program. The grant period is from October 1, 2005 through September 30, 2006. No City match is required.)
Ordinance No. 20060112-007 was approved.
8. Authorize execution of Amendment No. 3 to the 12-month contract with AUSTIN FAMILIES, INC. d/b/a FAMILYCONNECTIONS, Austin, TX, for childcare quality improvement and childcare services to increase the contract by \$75,851, for a total 12-month contract amount not to exceed \$740,226, with one 12-month extension option in an amount not to exceed \$740,226, for a total contract amount not to exceed \$1,480,452. (Funding in the amount of \$536,420 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Health and Human Services Department Sustainability Fund and \$25,000 is available in the Special Revenue Fund, Certification. The contract period is January 1, 2006 through December 31, 2006. There is no specific grant period for the Certification Fund, and no match is required. Funding for the remaining three months of the contract and extension option is contingent upon available funding in future budgets.)
The motion authorizing the execution of Amendment No. 3 to the contract was approved.

9. Authorize negotiation and execution of a 20-month parking lease agreement with AMPCO SYSTEM PARKING to lease 109 unreserved parking spaces in The Chase Building parking garage at 800 Lavaca for employees of the Faulk Central Library and the Austin History Center in an amount not to exceed \$163,500, with one 12-month extension option in an amount not to exceed \$137,340 for a total agreement amount not to exceed \$300,840. (Funding in the amount of \$16,667 is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Library Department. Funding in the amount of \$48,733 is available in the Fiscal Year 2005-2006 Budget of the Capital Projects Management Fund. Funding for the remaining 12 months of the original contract period and extension option is contingent upon available funding in future budgets.)
The motion authorizing the negotiation and execution of a parking lease agreement was approved.
10. Approve an ordinance amending the Fiscal Year 2005-2006 Parks and Recreation Department Capital Budget of Ordinance No. 20050912-002 to increase appropriations by \$1,800,000 for the Town Lake Park Project – Phase 2, for a total appropriation of \$9,200,000.(Funding in the amount of \$1,800,000 is in the Town Lake Park Venue Project Fund.) (Related Item 14)
Ordinance No. 20060112-010 was approved.
11. Approve an ordinance to establish classifications and number of positions in the classified service of the Police Department and repealing Ordinance No. 20050912-006. (Funding is included in the Approved Fiscal Year 2005-2006 Operating Budget for the Police Department.)
Ordinance No. 20060112-011 was approved.
12. Approve negotiation and execution of a 60-month lease renewal with Glenn and Britta M. Herzog, Manor, TX, for horse stable and arena facilities located at 8011 Boyce Lane, Manor, Texas, for use by the Austin Police Department's Mounted Patrol Unit, in an amount not to exceed \$270,000. (Funding in the amount of \$22,500 is available in the Fiscal Year 2005-2006 Operating Budget of the Austin Police Department. Funding for the remaining 55 months of the original contract period is contingent upon available funding in future budgets.)
The motion authorizing the negotiation and execution of a lease renewal was approved.
13. Authorize negotiation and execution of an amendment to the professional services agreement with LOCKWOOD, ANDREWS AND NEWNAM, INC., (NON M/WBE 64.72%), Austin, TX for engineering services for the Davis Water Treatment Plant Filter Process Improvements and Valve Replacements in an amount not to exceed \$1,127,083.20 for a total contract amount not to exceed \$1,769,907.79. (Funding in the amount of \$1,127,083.20 is available in the Fiscal Year 2005-2006 Approved Capital Budget of the Austin Water Utility.) 9.27% MBE and 26.01% WBE subcontractor participation. (Recommended by Water and Wastewater Commission on December 7, 2005.)
The motion authorizing the negotiation and execution of an amendment to the professional services agreement was approved.
14. Authorize execution of a construction contract with CONSTRUCTORS & ASSOCIATES, INC., Austin, TX, for Town Lake Park Phase II development in an amount not to exceed \$7,083,000 plus a \$354,150 contingency, for a total contract amount not to exceed \$7,437,150. (Funding in the amount of \$7,337,150 is available in the Fiscal Year 2005-2006 Capital Budget of the Parks and Recreation Department and \$100,000 is available in the Fiscal Year 2005-2006 Capital Budget of the Public Works Department.) Lowest bid of three received. 13.41% MBE and 61.70% WBE subcontractor participation. (Related Item 10)
The motion authorizing the execution of a construction contract was approved.

15. Authorize execution of change order # 4 to the construction contract with GUERRERO-MCDONALD & ASSOCIATES, INC., (MBE/FH 29.56%), Austin, TX, for Spicewood Springs Road Fire/EMS Station in the amount of \$45,346.98, for a total contract amount not to exceed \$2,065,611.98. (Funding in the amount of \$45,346.98 is available in the Fiscal Year 2005-2006 Capital Budget of the Austin Fire Department.) 20.20% MBE and 3.58% WBE subcontractor participation to date.
The motion authorizing the execution of change order #4 to the construction contract was approved.
16. Authorize execution of a 12-month service agreement with CROCKER CRANE RENTALS, LP, Austin, TX for the rental of hydraulic and lattice boom cranes in an amount not to exceed \$142,500, with three 12-month extension options in an amount not to exceed \$142,500 per extension option, for a total agreement amount not to exceed \$570,000. (Funding in the amount of \$95,000 is included in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding for the remaining four months of the original contract period and extension options is contingent upon available funding in future budgets.) Only bid. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the execution of a service agreement was approved.
17. Authorize negotiation and execution of a 12-month service agreement with BRAD NORTON, Austin, TX, for a part time Hearings Officer to preside over alarm permit hearings for APD and to adjudicate claims against City Utilities regarding their policies, actions and/or decisions, in an amount not to exceed \$100,000, with three 12-month extension options in an amount not to exceed \$100,000 per extension option, for a total agreement amount not to exceed \$400,000. (Funding in the amount of \$63,333 is included in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy. Funding in the amount of \$3,333 is included in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Police Department. Funding for remaining four months of the original contract period and 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 Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the negotiation and execution of a service agreement was approved.
18. Authorize execution of a contract with S&C ELECTRIC COMPANY, c/o Fred Oberlender & Associates, Inc., Austin, TX, for one 145kV circuit switcher in an amount not to exceed \$51,453. (Funding is available in the Fiscal Year 2005-2006 Approved Capital Budget of Austin Energy.) Only bid. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the execution of a contract was approved.
19. Authorize execution of Amendment No. 7 to the service agreement with ASAP ELECTRIC, INC., Austin, TX, for the installation of water heater timers, to increase the second extension option in an amount not to exceed \$140,969, for a revised total agreement not to exceed \$628,467. (Funding in the amount of \$140,969 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy.) This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the execution of Amendment No. 7 to the service agreement was approved.

20. Authorize execution of Amendment No. 6 to the contract with VAUGHN MANUFACTURING CORP., Salisbury, MA, for the purchase of water heater timers, to increase the last extension option in an amount not to exceed \$133,750, for a revised total contract amount not to exceed \$530,499. (Funding in the amount of \$133,750 is available in the Fiscal Year 2005-2006 Amended Operating Budget of Austin Energy.) This contract was awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the execution of Amendment No. 6 to the contract was approved.
21. Authorize execution of a contract through the Houston-Galveston Area Council of Governments (HGAC) with GREEN EQUIPMENT CO., Fort Worth, TX, for the purchase of a small steerable camera to be used by the Austin Water Utility in an amount not to exceed \$116,391. (Funding is available in the Fiscal Year 2005-2006 Approved Operating Budget of the Austin Water Utility.) Purchasing Cooperative
The motion authorizing the execution of a contract was approved.
22. Authorize execution of a 12-month supply agreement with MARCELO'S SAND & LOAM MBE/MH, Austin, TX, for the purchase of sandy loam and topsoil for the Watershed Protection and Development Review Department in an amount not to exceed \$155,000, with three 12-month extension options in an amount not to exceed \$155,000 per extension option, for a total agreement amount not to exceed \$620,000. (Funding in the amount of \$103,333.33 is available in the Fiscal Year 2005-2006 Approved Operating Budget for the Watershed Protection and Development Review Department. Funding for the remaining four months of the original contract period and extension options is contingent upon available funding in future budgets.) Low bid of two bids received. This contract will be awarded in compliance with Chapter 2-9 of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the execution of a supply agreement was approved.
23. Authorize execution of Amendment No. 2 to the contract with TEXAS INDUSTRIES FOR THE BLIND & HANDICAPPED, Austin, TX to increase the two extension options in the amount not to exceed \$163,600 per extension option, for temporary clerical personnel services, for a revised total contract amount not to exceed \$593,375. (Funding in the amount of \$163,600 is available in the Fiscal Year 2005-2006 Approved Operating Budgets of various departments. Funding for the second extension option is contingent upon available funding in future budgets.)
The motion authorizing the execution of Amendment No. 2 to the contract was approved.
24. Approve execution of an Interlocal Agreement with governmental entities in the Colorado River basin for membership in the Texas Colorado River Floodplain Coalition. (Funding in the amount of \$1,500 is included in the Fiscal Year 2005-2006 Operating Budget of the Watershed Protection and Development Review Department.)
The motion authorizing the execution of an Interlocal Agreement was approved.
25. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies, and removal and replacements of members.
The following appointments were made:

**Board/
Appointee**

**Consensus/
Council Nominee**

**Appointment/
Reappointment**

Austin-Travis County EMS Advisory Board

Paul Carroza

Consensus

Appointment

* Corporate response group rep.

Dr. Patrick Crocker	Consensus	Appointment
* Travis Co. Medical Society Emergency Director/EMS		
Susan Pascoe	Consensus	Appointment
* Neighborhood group rep.		
Dr. Donald Patrick	Consensus	Appointment
* City of Austin rep.		

Employees' Retirement System Board of Trustees

Ed Golden	Consensus	Reappointment
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Travis Central Appraisal District

Blanca Zamora-Garcia	Consensus	Reappointment
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Zoning and Platting Commission

Stephanie Hale	Mayor Pro Tem Thomas	Appointment
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26. Approve an ordinance appointing the Presiding Judge, Associate Judges including the Downtown Community Court Judge and Substitute Judges, to the City of Austin Municipal Court for the 2006-2007 judicial term, and setting compensation and benefits. (Recommended by the Council Judicial Subcommittee) (Related Item 36)(Mayor Will Wynn, Mayor Pro Tem Danny Thomas and Council Member Raul Alvarez)
This item was postponed to February 2, 2006.
27. Approve a resolution directing the City Manager to seek assistance in submitting a request to the Attorney General of the State of Texas for an opinion regarding American Federation of State, County and Municipal Employees' (AFSCME) proposed ordinance to establish a consultation process for the non-civil service employees of the City of Austin. (Council Member Lee Leffingwell, Council Member Brewster McCracken and Council Member Jennifer Kim)
Resolution No. 20060112-027 was approved.
28. Approve a resolution adopting guiding principles for the delivery of solid waste services in accordance with long range management plans. (Council Member Betty Dunkerley and Council Member Lee Leffingwell)
Resolution No. 20060112-028 was approved.
29. Approve a resolution directing the City Manager to bring forward a presentation to Council on the Regional Water Quality Plan. (Council Member Jennifer Kim, Council Member Lee Leffingwell and Council Member Betty Dunkerley)
Resolution No. 20060112-029 was approved.
30. Approve a resolution directing the City Manager to hold a drawing for Austin Energy customers to win an entry into Austin Energy's GreenChoice Program. (Council Member Brewster McCracken, Mayor Will Wynn and Council Member Lee Leffingwell)
Resolution No. 20060112-030 was approved.
31. Approve an ordinance authorizing payment of police costs for the 2005 North Shoal Creek Neighborhood Fourth of July parade, and the 2006 North Shoal Creek Neighborhood Fourth of July parade to be held on July 4, 2006. (Council Member Betty Dunkerley, Council Member Brewster McCracken and Council Member Jennifer Kim)
Ordinance No. 20060112-031 was approved.

32. Set a public hearing to approve the use of approximately 0.29 acres for water line and the temporary use of 0.91 acres of dedicated parkland known as Onion Creek Greenbelt located along Onion Creek Drive just south of South Pleasant Valley Road to allow the construction of a 12-inch water line through the park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: February 9, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street). (All costs associated with the line, as well as any parkland restoration, will be paid by the Austin Independent School District (AISD).) (Recommended by Parks Board on November 22, 2005.)
The public hearing was set for February 9, 2006, at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street.
33. Set a public hearing on an appeal by applicant Tumbleweed Investment Joint Venture of the Zoning and Platting Commission's denial of applicant's extension requests for a site plan; Rancho La Valencia, SP-01-0356D, located at 9512 FM 2222. (Suggested date and time: January 26, 2006, at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street) (October 18, 2005 - Zoning and Platting Commission denied appeal and denied three-year extension request.)
The public hearing was set for January 26, 2006, at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street.
34. Set a public hearing to consider a non-substantive ordinance amending Chapter 25-8 of the City Code to clarify application of water quality and impervious cover regulations to single family or duplex residential lots. (Suggested date and time: January 26, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street) (The Environmental Board recommended approval of the amendments on December 14, 2005. The Planning Commission Codes and Ordinances Subcommittee reviewed the ordinance on December 21, 2005.)
The public hearing was set for January 26, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street.
35. Set a public hearing to consider an ordinance amending Sections 25-8-2(D)(7)(a) and 25-8-2 (D) (10) (a) of the City Code to provide more consistency in nomenclature in describing the watersheds within each regulated area. (Suggested date and time: January 26, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street) (October 18, 2005 - Code & Ordinances Subcommittee - Approved; November 16, 2005 - Environmental Board)
The public hearing was set for January 26, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West 2nd Street.

Items 36 through 37 were Executive Session items.

Items 38 through 40 were briefings set for a time certain of 2:00 p.m.

Items AHFC-1 through AHFC-4 were set for a time certain of 3:00 p.m.

Items 41 through 52 and Z-1 through Z-24 were zoning items set for 4:00 p.m.

Items 53 through 58 were public hearings set for 6:00 p.m.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 10:32 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.

Personnel Matters - Section-551.074

36. Discuss the appointment of City of Austin Municipal Court Judges including appointment of the Presiding Judge, individual Associate Judges including the Downtown Community Court Judge, and individual Substitute Judges; and discuss the compensation and benefits of each individual judge. (Related Item 26)

This item was postponed to February 2, 2006 as part of the Consent Agenda action.

Real Property - Section 551.072

37. Discuss issues relating to the terms of the sale of Block 21, which is bounded by 2nd Street, 3rd Street, Guadalupe Street, and Lavaca Street, to Stratus/Trammel Crow.

The Mayor announced that Council would discuss item number 54 on the regular agenda during Executive Session.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:21p.m.

CITIZEN COMMUNICATIONS: GENERAL

Karin Ascot - Protection of Barton Springs, Development of Austin

Bill Bunch - Barton Springs and the future of Austin

Ira Yates - AMD, Growth Employment

Colin Clark - Let's save Barton Springs. It's cheaper than paving the Watershed

Sarah Baker - Moving AMD off the Barton Springs Watershed

Mary Arnold - To request the Council pass a resolution asking that AMD not re-locate in the Barton Springs Zone

CarolAnneRose Kennedy - Taxes

Lauren Ross - AMD

Jake Billingsly - How the City of Austin Grinched my Christmas

Pat Johnson - TBA

Mayor Wynn recessed the Council Meeting at 12: 57 p.m.

Mayor Wynn called the Council Meeting back to order at 2:05 p.m.

BRIEFINGS

38. Presentation to Council on the City's "P.E. Department" Program.
The presentation was made by Erinc Gray, Agenda Systems Coordinator, City Manager's Office.

39. Presentation to Council on the City's Traffic Management Program.
The presentation was made by Rudy Garza, Assistant City Manager, and David Carter, APD, Highway Enforcement Command.
40. Presentation to Council regarding land banks, land trusts and funding options under the Homestead Preservation Act (HB 525).
The presentation was made by Paul Hilgers, Director, Housing and Community Development.

BOARD OF DIRECTORS MEETING OF AUSTIN HOUSING FINANCE CORPORATION.

Mayor Wynn recessed the Council Meeting at 3:22 p.m. to go into the Board of Director's Meeting of the Austin Housing Finance Corporation. See separate minutes.

AHFC adjourned at 3:38 p.m. and Mayor Wynn announced the Council would remain in recess.

Mayor Wynn called the Council Meeting back to order at 4:14 p.m.

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 consent items were approved on Council Member Alvarez' motion, Council Member Leffingwell's second on a 6-0 vote. Mayor Pro Tem was absent.

41. C14-05-0100 - Lake Creek Park - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property locally known as 10101-10113 Lake Creek Parkway (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning, single-family-standard lot (SF-2) district zoning, limited office (LO) district zoning, and limited office-conditional overlay (LO-CO) combining district zoning to limited office-conditional overlay (LO-CO) combining district zoning for Tract 1, townhouse and condominium residence (SF-6) district zoning for Tract 2, and single-family residence-small lot (SF-4A) district zoning for Tract 3. First reading approved on September 29, 2005. Vote: 7-0. Applicant: Ardennes, L.P. By CGA Ardennes GP, LLC (David E. Castilla and Paula Vangrieken). Agent: Armbrust & Brown, L.L.P. (Richard Suttle, Jr.) City Staff: Sherri Sirwaitis, 974-3057.
Ordinance No. 20060112-041 for limited office-conditional overlay (LO-CO) combining district zoning for Tract 1, townhouse and condominium residence (SF-6) district zoning for Tract 2, and single-family residence-small lot (SF-4A) district zoning for Tract 3 was approved.
42. C14-04-0170 - San Jose Church - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2510 South First Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to limited office-conditional overlay (LO-CO) combining district zoning and community commercial-conditional overlay (GR-CO) combining district zoning. First reading approved on January 13, 2005. Vote: 7-0. Applicant: San Jose Church. Agent: Sergio Lozano. City Staff: Robert Heil, 974-2330.
The second reading of the ordinance for limited office-conditional overlay (LO-CO) combining district zoning and community commercial-conditional overlay (GR-CO) combining district zoning was approved.

43. C14-05-0025 - 1706 & 1708 West 6th Street - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1706 & 1708 West 6th Street (Town Lake/Johnson Creek Watersheds) from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning. First reading approved on September 1, 2005. Vote: 7-0. Second reading approved on October 20, 2005. Vote: 7-0. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge E. Rousselin, 974-2975. Note: A valid petition has been filed in opposition to this rezoning request.
Ordinance No. 20060112-043 for neighborhood office-mixed use-conditional overlay-neighborhood plan (NO-MU-CO-NP) combining district zoning was approved.
44. C814-90-0003.13 - Harris Branch PUD Amendment #13 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located at 1375 U.S. Highway 290 East at Proposed State Highway 130 (Harris Branch, Gilleland Creek, Decker Creek Watersheds) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning. First reading approved on October 27, 2005. Vote: 6-0, Council Member Alvarez off the dais. Applicant: Austin HB Residential Properties (John McCullough). Agent: Minter, Joseph & Thornhill, P.C. (John M. Joseph). City Staff: Sherri Sirwaitis, 974-3057.
This item was postponed to February 16, 2006 at the applicant's request.
45. C814-99-0001.04 - Avery Ranch PUD Amendment #4 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 14900 Avery Ranch Boulevard and 10550 Parmer Lane (Brushy Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning (amendment to allow additional permitted uses). First reading approved on October 6, 2005. Vote: 7-0. Applicant: Shoal Creek, Ltd. Robert D. Wunsch. Agent: Waterstone Development (Theresa Canchola). City Staff: Sherri Sirwaitis, 974-3057.
Ordinance No. 20060112-045 for planned unit development (PUD) district zoning (amendment to allow additional permitted uses) was approved.
46. C14-04-0167 - Euers Office/Retail Building - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 135 West Slaughter Lane (Onion Creek Watershed) from rural residence (RR) district zoning and single-family residence-standard lot (SF-2) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning with conditions. First reading approved on January 13, 2005. Vote: 7-0. Applicant: Lester Euers. Agent: The Brown Group (Marty Brown). City Staff: Wendy Walsh, 974-7719. Note: A valid petition has been filed in opposition to this rezoning request.
This item was postponed to March 9, 2006 at the applicant's request.
47. C14-05-0118 - Pflugerville West Shopping Center - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 15400, 15417, 15420 and 15424 Pecan Street (F.M. 1825 Road) (Harris Branch, Walnut Creek Watersheds) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning with conditions in order to change a condition of zoning. First reading approved on December 1, 2005. Vote: 6-0 (Council Member McCracken off the dais). Applicant: Retail Pflugerville Partners, L.P. (Casey Beasley), HI-LO Auto Parts Stores, L.P. (James R. Batten), PBA Holdings, L.L.P. (Keri Chorba, Pricino VIII, L.P. (David Little). Agent: L.M. Holder III, FAIA (Mac Holder/Philip Southwick). City Staff: Sherri Sirwaitis, 974-3057.
Ordinance No. 20060112-047 for community commercial-conditional overlay (GR-CO) combining district zoning, with conditions, to change a condition of zoning, was approved.

48. C14-05-0108 - 5717 Balcones Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning property locally known as 5717 Balcones Drive (Shoal Creek Watershed) from family residence (SF-3) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning with conditions. First reading approved on December 15, 2005. Vote: 7-0. Applicant: SWD Partners, Ltd. (Mark Banta). Agent: Armbrust & Brown, L.L.P. (Richard T. Suttle, Jr.) City Staff: Jorge Rousselin, 974-2975. Note: A valid petition has been filed in opposition to this rezoning request.
- Ordinance No. 20060112-048 for community commercial-conditional overlay (GR-CO) combining district zoning, was approved with the following conditions: Maximum of thirty feet height limitation; impervious cover to no more than 70%; maximum of 1,250 vehicle trips per day; only three allowed GR uses -- medical office exceeding 5,000 square feet, hospital limited, and general retail sales (convenience) subject to a restrictive covenant limiting retail sales to 2,500 square feet and allowing only retail accessory to a medical office use. The following uses would be prohibited: automotive rentals, automotive repair services, automotive sales, automotive washing (of any type), bail bond services, bed and breakfast (group 1 and 2), business or trade school, business support services, club or lodge, commercial off-street parking, communications services, community events, community recreation (private and public), congregate living, consumer convenience services, consumer repair services, custom manufacturing, drop-off recycling collection facility, exterminating services, financial services, food preparation, food sales, funeral services, general retail sales, group home (Class II), hospital services (general), restaurant (general and limited), service station, special use historic, telecommunication tower, theater, hotel-motel, indoor entertainment, indoor sports and recreation, off-site accessory parking, outdoor entertainment, outdoor sports and recreation, parking facility (prohibiting "parking structures" only), pawn shop services, personal improvement services, personal services, pet services, plant nursery, research assembly services, research services, research testing services, research warehousing services and residential treatment.**
49. NP-05-0020 - Pleasant Hill Subdistrict, Tract 30 - Approve third reading of an ordinance amending Ordinance No. 20050818-Z001, adopting the South Congress Combined Neighborhood Plan as an element of the Austin Tomorrow Comprehensive Plan, and establishing the land use designation on the future land use map for Tract 30, located at 103 Red Bird Lane and 0 Red Bird Lane (Pleasant Hill Addition south 68 feet average of lot 20 and east 50 feet of Lot 21, Block 1), in the Pleasant Hill Subdistrict of the West Congress Neighborhood Planning Area. The north boundary for the Pleasant Hill Subdistrict is the northern boundary of the Pleasant Hill Addition Subdivision, the eastern boundary is South Congress Avenue, the southern boundary is Stassney Lane, and the western boundary is Hummingbird Lane, which includes those lots with front and side yard frontages along Hummingbird Lane. The proposed change to the future land use map is from single-family to office mixed-use. On September 1, 2005, single-family land use designation was approved on First reading. Vote: 6-1, Mayor Wynn - Nay. On October 6, 2005, office mixed-use land use designation was approved on Second reading. Vote: 6-1, Thomas - Nay. On December 15, 2005, the Council postponed action on this item until January 12, 2006 with direction from Council to provide an alternate ordinance changing the land use designation from single-family to commercial mixed-use. The Council may consider single-family, high-density single-family, multi-family, office, office mixed-use, commercial, or commercial mixed-use land use designation. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Mark Walters, 974-7695. (Related Item 50)
- This item was postponed to February 16, 2006 at staff's request.**

50. C14-05-0106 – West Congress Neighborhood Plan Area Rezoning, Pleasant Hill Subdistrict, Tract 30 – Approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known Tract 30, located at 103 Red Bird Lane and 0 Red Bird Lane (Pleasant Hill Addition south 68 feet average of Lot 20 and south 68 feet average and East 50 feet of Lot 21, Block 1), within the Pleasant Hill Subdistrict. The Pleasant Hill Subdistrict is generally described as the properties bounded by the northern boundary of the Pleasant Hill Addition Subdivision on the north, South Congress Avenue on the east, West Stassney Lane on the south, and properties fronting Hummingbird Lane on the west (Williamson Creek Watershed). The proposed zoning change will create a Neighborhood Plan Combining District (NPCD) covering Tract 30, within the subdistrict. Under the Pleasant Hill subdistrict, “Small Lot Amnesty” special use and “Impervious Cover and Parking Placement Restrictions” and “Prohibiting Parking in the Front Yard” zoning regulations are proposed. “Secondary Apartment” special use and “Garage Placement” and “Front Porch Setback” zoning regulations are also proposed for the Pleasant Hill subdistrict. The proposed zoning change will change the base district zoning and the City Council may approve a zoning change to any of the following: rural residence (RR) district zoning; single family residence large lot (SF-1) district zoning; single family residence standard lot (SF-2) district zoning; family residence (SF-3) district zoning; single family residence small lot (SF-4A) district zoning; single family residence condominium site (SF-4B) district zoning; urban family residence (SF-5) district zoning; townhouse & condominium residence (SF-6) district zoning; multi-family residence limited density (MF-1) 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; multi-family residence high density (MF-5) district zoning; multi-family residence highest density (MF-6) district zoning; mobile home residence (MH) district zoning; neighborhood office (NO) district zoning; limited office (LO) district zoning; general office (GO) district zoning; commercial recreation (CR) district zoning; neighborhood commercial (LR) district zoning; community commercial (GR) district zoning; warehouse/limited office (W/LO) district zoning; general commercial services (CS) district zoning; commercial-liquor sales (CS-1) district zoning; commercial highway (CH) district zoning; industrial park (IP) district zoning; major industrial (MI) district zoning; limited industrial services (LI) district zoning; research and development (R&D) district zoning; development reserve (DR) district zoning; agricultural (AG) district zoning; planned unit development (PUD) district zoning; historic (H) district zoning; and public (P) district zoning. A conditional overlay (CO), planned development area overlay (PDA), mixed use (MU) combining district overlay; neighborhood conservation combining district (NCCD); or neighborhood plan combining district (NP) may also be added to these zoning base districts. On September 1, 2005, SF-3-NP district zoning was approved for Tract 30 on First reading. Vote: 6-1, Mayor Wynn – Nay. On October 6, 2005, LO-MU-CO-NP district zoning was approved for Tract 30 on Second reading. Vote: 6-1, Mayor Pro Tem Thomas – Nay. On December 15, 2005 this item was postponed to January 12, 2006 with direction from Council to provide an alternate ordinance changing the zoning from SF-3 and SF-6 to CS-MU-CO-NP and a restrictive covenant. Vote: 7-0. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff Mark Walters, 974-7695. Note: A valid petition has been filed in opposition to this rezoning request. (Related Item 49)
This item was postponed to February 16, 2006 at staff's request.
51. NPA-05-0022.001 - Greater South River City Neighborhood Plan, Tract 35 - Approve second/third readings of an ordinance to amend Ordinance No. 20050929-Z001 (Greater South River City Combined Neighborhood Plan), an element of the Austin Tomorrow Comprehensive Plan, to change the Future Land Use Map for the property located at 0 South IH-35 (ABS 24 Del Valle S Acr. 2.31) (Tract 35). Council may approve a land use designation change to office, commercial or mixed use. At first reading on December 1, 2005, Council approved a Commercial land use designation for Tract 35. Vote: 4-2 (Mayor Wynn and Council Member Leffingwell – nay; Council Member McCracken off the dais). Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Adam Smith, 974-7685. (Related Item 52)
This item was postponed to March 2, 2006 at staff's request.

52. C14-05-0139.002 – Greater South River City Combined Neighborhood Plan, Tract 35 (South River City neighborhood) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning locally known as 0 South IH-35 (ABS 24 Del Valle S Acr. 2.31) (Tract 35) (Harpers Branch watershed). The City Council may approve a base district zoning change to any of the following: general office (GO) district zoning; community commercial (GR) district zoning; or, general commercial services (CS) district zoning. A conditional overlay (CO) combining district, mixed use (MU) combining district or neighborhood plan (NP) combining district may also be added to these zoning base districts. At first reading on December 1, 2005, Council approved community commercial-conditional overlay-neighborhood combining district zoning (GR-CO-NP) for Tract 35. Vote: 4-2 (Mayor Wynn and Council Member Leffingwell – nay, Council Member McCracken off the dais). Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Adam Smith, 974-7685, Sherri Sirwaitis, 974-3057. Note: A valid petition has been filed in opposition to this rezoning request. (Related Item 51)
This item was postponed to March 2, 2006 at staff's request.

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 Council Member McCracken's motion, Council Member Leffingwell's second on a 6-0 vote. Mayor Pro Tem was absent.

- Z-1 C14-05-0194 - Brownie Park - City Initiated - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10000-10199 Block of Brownie Drive (Little Walnut Creek Watershed) from multi-family residence-low density (MF-2) district zoning to public (P) district zoning. Zoning and Platting Commission Recommendation: To grant public (P) district zoning. Applicant City of Austin Parks and Recreation Department. Agent: Neighborhood Planning and Zoning Department. City Staff: Tina Bui, 974-2755.
Ordinance 20060112-Z-001 for public (P) district zoning was approved.
- Z-2 C14-05-0192 - The Mill - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 9514 Anderson Mill Road (Lake Creek Watershed) from interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Skateworld (David Phalan). Agent: Newman Development Group (Minka Anderson). City Staff: Sherri Sirwaitis, 974-3057.
Ordinance No. 20060112-Z002 for community commercial-conditional overlay (GR-CO) combining district zoning was approved.
- Z-3 C14-05-0111.01 - East Riverside/Oltorf Neighborhood Plan, Tract 203 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2600 and 2600 1/2 S. Pleasant Valley Road (Country Club Creek Watershed) from neighborhood commercial (LR) district zoning to family residence (SF-3) district zoning. Planning Commission Recommendation: To grant family residence (SF-3) district zoning. Applicant: Pleasant Valley Villas. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
This item was withdrawn.

- Z-4 C14-05-0111.02 - East Riverside/Oltorf Neighborhood Plan, Tract 204 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2507 and 2513 1/2 Burleson Road (Country Club Creek Watershed) from community commercial (GR) district zoning to multi-family residence-low density (MF-2) district zoning. Planning Commission Recommendation: To grant multi-family residence-low density (MF-2) district zoning. Applicant: Sigvard Siversten. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
This item was withdrawn.
- Z-5 C14-05-0111.03 - East Riverside/Oltorf Neighborhood Plan, Tract 208 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2800 & 2904 Metcalfe Road (Country Club Creek Watershed) from family residence (SF-3) district zoning to public (P) district zoning. Planning Commission Recommendation: To grant public (P) district zoning. Applicant: Austin Independent School District. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for public (P) district zoning was approved.
- Z-6 C14-05-0111.04 - East Riverside/Oltorf Neighborhood Plan, Tract 213 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2101 Wickshire (Country Club Creek Watershed) from family residence (SF-3) district zoning to public (P) district zoning. Planning Commission Recommendation: To grant public (P) district zoning. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for public (P) district zoning was approved.
- Z-7 C14-05-0111.05 - East Riverside/Oltorf Neighborhood Plan, Tract 224 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4705, 4707, 4709, 4801, 4803, 4805, 4807, 4809, 4811 E. Oltorf Street (Country Club Creek Watershed) from multi-family residence-low density (MF-2) district zoning to townhouse and condominium residence (SF-6) district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Applicant: Janie M. Alegria. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for townhouse and condominium residence (SF-6) district zoning was approved.
- Z-8 C14-05-0112.01 - East Riverside/Oltorf Neighborhood Plan - Tract 15 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1902-1912 E. Riverside Drive (Country Club Creek Watershed) from commercial-liquor sales (CS-1) district zoning to community commercial (GR) district zoning. Planning Commission Recommendation: To grant community commercial (GR) district zoning. Applicant: R.H. Daugherty. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
This item was postponed to January 26, 2006 at Council Members' request.
- Z-9 C14-05-0112.02 - East Riverside/Oltorf Neighborhood Plan, Tract 30 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2410 E. Riverside Drive (Country Club Creek Watershed) from general commercial services (CS) district zoning to community commercial (GR) district zoning. Planning Commission Recommendation: To grant community commercial (GR) district zoning. Applicant: Robert W. Trautmann. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
This item was postponed to January 26, 2006 at Council Members' request.

- Z-10 C14-05-0112.03 - East Riverside/Oltorf Neighborhood Plan, Tract 31 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2410 E. Riverside Drive (Country Club Creek Watershed) from commercial-liquor sales (CS-1) district zoning to community commercial (GR) district zoning. Planning Commission Recommendation: To grant community commercial (GR) district zoning. Robert W. Trautmann. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
This item was postponed to January 26, 2006 at Council Members' request.
- Z-11 C14-05-0112.04 - East Riverside/Oltorf Neighborhood Plan, Tract 46 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1605 E. Riverside Drive (Country Club Creek Watershed) from general commercial services (CS) district zoning to community commercial (GR) district zoning. Planning Commission Recommendation: To grant community commercial (GR) district zoning. Applicant: Michael J. Sullivan. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
This item was postponed to January 26, 2006 at Council Members request.
- Z-12 C14-05-0112.05 - East Riverside/Oltorf Neighborhood Plan, Tract 49 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1301 South IH-35 Service Road Northbound (Country Club Creek Watershed) from neighborhood commercial (LR) district zoning to limited office (LO) district zoning. Planning Commission Recommendation: To grant limited office (LO) district zoning. Applicant: Americana Building L.P. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for limited office (LO) district zoning was approved.
- Z-13 C14-05-0112.06 - East Riverside/Oltorf Neighborhood Plan, Tract 57 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1840 Burton Drive (Country Club Creek Watershed) from neighborhood commercial (LR) district zoning to multi-family residence-medium density (MF-3) district zoning. Planning Commission Recommendation: To grant multi-family residence-medium density (MF-3) district zoning. Applicant: Silverado Condominium Association. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for multi-family residence-medium density (MF-3) district zoning was approved.
- Z-14 C14-05-0113.01 - East Riverside/Oltorf Neighborhood Plan, Tract 300 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1005 1/2 South Pleasant Valley Road (Country Club Creek Watershed) from multi-family residence-medium density (MF-3) district zoning and multi-family residence-high density (MF-5) district zoning to public (P) district zoning. Planning Commission Recommendation: To grant public (P) district zoning. Applicant: City of Austin. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for public (P) district zoning was approved.
- Z-15 C14-05-0113.02 - East Riverside/Oltorf Neighborhood Plan, Tracts 302 and 303 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1601 Grove Boulevard (Country Club Creek Watershed) from neighborhood commercial (LR) district zoning to single-family residence-large lot (SF-1) district zoning and neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Planning Commission Recommendation: To grant single-family residence-large lot (SF-1) district zoning (Tract 302) and neighborhood commercial-mixed use-conditional overlay (LR-MU-CO)

combining district zoning (Tract 303). Applicant: Larry & Robin Yount. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

The first reading of the ordinance for single-family residence-large lot (SF-1) district zoning (Tract 302) and neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning (Tract 303) was approved.

- Z-16 C14-05-0113.03 - East Riverside/Oltorf Neighborhood Plan, Tracts 304 & 305 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5602, 5604, 5700 E. Riverside Drive (Country Club Creek Watershed) from family residence (SF-3) district zoning to single-family residence-large lot (SF-1) district zoning and neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. *Planning Commission Recommendation:* To grant single-family residence-large lot (SF-1) district zoning (Tract 304) and neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning (Tract 305). Applicant: Larry and Robin Yount. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
This item was postponed to January 26, 2006 at Council Members' request.

- Z-17 C14-05-0113.04 - East Riverside/Oltorf Neighborhood Plan, Tract 309 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2101 Wickersham Lane (Country Club Creek Watershed) from community commercial-(GR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. *Planning Commission Recommendation:* To grant community commercial-mixed use (GR-MU) combining district zoning. Applicant: Jay Kaplan. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for community commercial-mixed use (GR-MU) combining district zoning was approved.

- Z-18 C14-05-0113.05 - East Riverside/Oltorf Neighborhood Plan, Tract 311 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 0 Grove Boulevard (19.406 acres, Santiago del Valle Grant) (Country Club Creek Watershed) from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. *Planning Commission Recommendation:* To grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Applicant: Grief Yount Partnership. Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for general office-mixed use (GO-MU-CO) combining district zoning was approved.

- Z-19 C814-99-0001(RCA) - Avery Ranch PUD Restrictive Covenant Amendment - Conduct a public hearing and approve a restrictive covenant amendment for the property locally known as Avery Ranch at Parmer Lane (Brushy Creek Watershed). *Zoning and Platting Commission Recommendation:* To grant the restrictive covenant amendment. Applicant: Pebble Creek Joint Venture (Edward R. Rathgeber, President), Continental Homes of Texas, L.P. (Richard Maier), Rathgeber Investment Company, Ltd. (Edward R. Rathgeber, Jr.), Developers of Avery Ranch (Robert D. Wunsch, President). Agent: Waterstone Development (Theresa Canchola). City Staff: Sherri Gager, 974-3057. (Related Item Z-20)
The motion granting a restrictive covenant amendment was approved.

- Z-20 C814-99-0001.03 - Avery Ranch PUD, Amendment #3 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Avery Ranch Boulevard at Parmer Lane (Brushy Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning. *Zoning and Platting Commission Recommendation:* To grant planned unit development (PUD)

amendment. Applicant: Pebble Creek Joint Venture (Edward Rathgeber, President), Developers of Avery Ranch (Robert D. Wunsch), Continental Homes of Texas, L.P. (Richard Maier). Agent: Waterstone Development (Theresa Canchola). City Staff: Sherri Gager, 974-3057 (Related Item Z-19) **Ordinance No. 20060112-Z020 for planned unit development (PUD) amendment was approved.**

- Z-21 C14-05-0179 - Spring Lake Subdivision - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9009 Spring Lake Drive (Bull Creek Watershed) from rural residence (RR) district zoning to single-family residence-large lot (SF-1) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-large lot-conditional overlay (SF-1-CO) combining district zoning. Applicant: Rahul Deshmukh and Mrudula Yadav. Agent: Land Answers: (Jim Witliff). City Staff: Sherri Sirwaitis, 974-3057. A valid petition has been filed in opposition to this rezoning request. **This item was postponed to June 8, 2006 at the applicant's request. Staff will resend notification of the public hearing.**
- Z-23 C14-05-0005 - Gables/Park Plaza - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 910 West Cesar Chavez Street (Tracts 1 and 2) (Town Lake and Shoal Creek Watersheds) from downtown-mixed use (DMU) district zoning to downtown-mixed use-central urban redevelopment-conditional overlay (DMU-CURE-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant downtown-mixed use-central urban redevelopment-conditional overlay (DMU-CURE-CO) combining district zoning with conditions. Applicant: LG Lamar Limited Partnership and LG Park Plaza Limited Partnership (Ben Pisklak). Agent: Drenner, Stuart, Wolff, Metcalfe (Michele R. Allen). City Staff: Jorge E. Rousselin, 974-2975. **This item was postponed to February 2, 2006 at Council Members' request.**
- Z-24 C14-05-0093 - The Crescent - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as the 900 Block of West Cesar Chavez Street (Town Lake and Shoal Creek Watersheds) from unzoned to downtown-mixed use (DMU) district zoning. Zoning and Platting Commission Recommendation: To grant downtown mixed use (DMU) district zoning. Applicant: City of Austin (Real Estate Division). Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge E. Rousselin, 974-2975. **This item was postponed to February 2, 2006 at Council Members' request.**

ZONING DISCUSSION ITEM

- Z-22 C14-05-0150 - Fairfield at Woodland Park - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3226 West Slaughter Lane (Slaughter Creek Watershed - Barton Springs Zone) from multi-family residence-moderate-high - conditional overlay (MF-4-CO) combining district zoning to multi-family residence-moderate-high - conditional overlay (MF-4-CO) combining district zoning in order to change conditions of zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-moderate-high - conditional overlay (MF-4-CO) combining district zoning in order to change conditions of zoning. Applicant: John M. Harmon and Joyce W. Harmon. Agent: Graves, Dougherty, Hearon & Moody, P.C. (Peter J. Cesaro). City Staff: Wendy Walsh, 974-7719. **The public hearing was closed and first reading of the ordinance for multi-family residence-moderate-high - conditional overlay (MF-4-CO) combining district zoning in order to change conditions of zoning was approved on Council Member McCracken's motion, Council Member Dunkerley's second on a 4-2 vote. Those voting aye were: Mayor Wynn, and Council Members Dunkerley, Leffingwell, and McCracken. Those voting nay were: Council Members Alvarez and Kim. Mayor Pro Tem Thomas was absent.**

Mayor Wynn recessed the Council Meeting at 5:53 p.m.

LIVE MUSIC

Thales Smith, Austin Young Artists

PROCLAMATIONS

Certificates of Congratulations - Mayor's Book Club Winners - to be presented by Mayor Will Wynn and to be accepted by the honorees

Certificates of Congratulations - Debutantes of Kappa Sigma Chapter of Sigma Gamma Rho - to be presented by Council Member Betty Dunkerley and to be accepted by the honorees

Mayor Wynn called the Council Meeting back to order at 6:47 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTION

53. Conduct a public hearing and approve an ordinance amending Section 2-1-292 of the City Code relating to Historic Landmark Commission meetings and procedures; and amending Section 25-2-358 of the City Code relating to notice of historic designations. (Recommended by Planning Commission.)
The public hearing was closed and Ordinance No. 20060112-053 was approved on Council Member Leffingwell's motion, Mayor Wynn's second on a 5-0 vote. Mayor Pro Tem Thomas was absent. Council Member McCracken was off the dais.
54. Conduct a public hearing and take action on an appeal by Lumbermen's Investments, Inc. of the Zoning and Platting Commission's decision to deny site plan approval of the Village of Western Oaks, Section 20, located at 5301 Davis Lane (site plan no. SPC-05-0005C). This appeal concerns development in an area subject to the Save Our Springs Initiative, Chapter 25-8 of the City Code. (Site plan approval was denied by the Zoning and Platting Commission on September 20, 2005 (8-1).)
The public hearing was closed and the appeal was denied, with direction to staff to conduct further analysis to find a way for the builder to build an office on the site, on Council Member Leffingwell's motion, Council Member Dunkerley's second on a 5-0 vote. Mayor Pro Tem Thomas was absent. Council Member McCracken was off the dais.
55. Conduct a public hearing to consider a request for a waiver from the minimum distance requirement of City Code Section 4-9-4(A) which requires 300 feet between a business that proposes to sell alcoholic beverages at 4800 Burnet Road and a public school, Texas School for the Blind and Visually Impaired, at 1100 West 45th Street.
The public hearing was closed and Resolution No. 20060112-055 was approved on Council Member Alvarez' motion, Mayor Wynn's second on a 5-0 vote. Mayor Pro Tem Thomas was absent. Council Member McCracken was off the dais.
56. Conduct a public hearing to consider variance requests by Dan and Cristina Self to allow construction of an addition to a single-family residence at 4512 Avenue D in the 25-year and 100-year floodplains of Waller Creek and to limit the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain to exclude the footprints of the residence and garage apartment.
The public hearing was closed and the variance denied on Council Member Dunkerley's motion, Mayor Wynn's second on a 1-4 vote. Those voting nay were: Mayor Wynn, Council Members Alvarez, Leffingwell, and Kim. Council Member Dunkerley voted aye. Mayor Pro Tem Thomas was absent. Council Member McCracken was off the dais.

57. Conduct a public hearing to consider variance requests by Mark and Rence Keeney to allow construction of an addition to a single-family residence at 3000 Vincewood Cove in the 25-year and 100-year floodplains of Shoal Creek and to limit the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain to exclude the footprint of the residence.
The public hearing was closed and the variance denied on Council Member Leffingwell's motion, Council Member Kim's second on a 5-0 vote. Mayor Pro Tem Thomas was absent. Council Member McCracken was off the dais.
58. Conduct a public hearing and approve an ordinance amending Section 25-10-6 of the City Code (*Scenic Roadways Described*) to add State Highway 130 to the list of scenic roadways.
The public hearing was closed and Ordinance No. 20060112-058 was approved on Council Member Leffingwell's motion, Council Member Dunkerley's second on a 5-0 vote. Mayor Pro Tem Thomas was absent. Council Member McCracken was off the dais.

Mayor Wynn adjourned the meeting at 8:45 p.m. without objection.

The minutes for the Regular Meeting of January 12, 2006 were approved on this the 26th day of January, 2006 on Council Member Alvarez' motion, Council Member Dunkerley's second on a 6-0 vote. Mayor Wynn was absent.