



**Thursday, November 10, 2016**

The Austin City Council will convene at 10:00 AM on  
Thursday, November 10, 2016 at Austin City Hall  
301 W. Second Street, Austin, TX



**Mayor Steve Adler**  
**Mayor Pro Tem Kathie Tovo, District 9**  
**Council Member Ora Houston, District 1**  
**Council Member Delia Garza, District 2**  
**Council Member Sabino “Pio” Renteria, District 3**  
**Council Member Gregorio Casar, District 4**  
**Council Member Ann Kitchen, District 5**  
**Council Member Don Zimmerman, District 6**  
**Council Member Leslie Pool, District 7**  
**Council Member Ellen Troxclair, District 8**  
**Council Member Sheri Gallo, District 10**

For meeting information, contact the City Clerk, (512) 974-2210

*The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.*

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

## **10:00 AM – City Council Convenes**

### **Consent**

#### **Approval of Minutes**

1. Approve the minutes of the Austin City Council work session of November 1, 2016 and regular meeting of November 3, 2016.

#### **Animal Services Office**

2. Approve an ordinance amending City Section Code 3-1-29 (Sterilization) related to the sterilization of animals at the Austin Animal Shelter.

#### **Economic Development Department**

3. Approve a resolution to nominate Samsung Austin Semiconductor, LLC for designation by the Governor's Office of Economic Development and Tourism as a single Texas Enterprise Project in accordance with Chapter 2303 of the Texas Government Code.

#### **Health and Human Services**

4. Approve the negotiation and execution of an agreement with Latino Healthcare Forum to implement community health improvement strategies for an 11-month term from November 1, 2016 through September 30, 2017, in an amount not to exceed \$175,000, for a total contract amount not to exceed \$175,000.

#### **Law**

5. Authorize negotiation and execution of a legal services contract with the law firm of Lloyd Gosselink Rochelle and Townsend, P.C. in an amount not to exceed \$700,000.00, to represent the City in the rate case filed with the Public Utility Commission by Shady Hollow MUD appealing wholesale water and wastewater rates.
6. Approve second and third reading of an ordinance amending Ordinance No. 960613-J and authorizing execution of the first amendment to a settlement agreement relating to the development of property located at 6409 City Park

Road (Champion Tract). Related to Item #43

### **Management Services**

7. Approve an ordinance setting the council meeting schedule for calendar year 2017.

### **Neighborhood Housing and Community Development**

8. Authorize the execution of an Affordable Housing Agreement for the Pilot Knob Planned Unit Development. (District 2). Related to Item #32

### **Planning and Zoning**

9. Amend Ordinance No. 20090827-078 to correct a reference to zoning for property described in zoning file C14-2009-0055.
10. Approve an ordinance amending City Code Chapter 9-2 relating to the requirements for non-peak hour concrete installation within portions of the Central Business District (CBD) and Public (P) zoning districts.

### **Purchasing Office**

11. Authorize a negotiation and execution of an agreement with Aero Solutions LLC, for professional services related to licensing right-of-way and city property for small cell antenna, for an amount not to exceed \$205,200. ( Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement there were insufficient subcontracting opportunities; therefore, no subcontraction goals were established. )

### **Transportation**

12. Approve an ordinance amending Exhibit A to the Fiscal Year 2016-2017 City of Austin Fee Schedule Ordinance No. 20160914-003 to set administrative fees and rental fees for considering, approving, monitoring, and licensing the use of right of way and transportation infrastructure by wireless service providers for small cell networks.

### **Item(s) from Council**

13. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.
14. Approve an ordinance waiving or reimbursing certain fees for the

Shakespeare in the Park event sponsored by the Something for Nothing Theater which was held October 14-29, 2016 at Ramsay Park.

( Notes: SPONSOR: Council Member Sheri Gallo CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ann Kitchen CO 3: Council Member Sabino "Pio" Renteria CO 4: Council Member Leslie Pool )

15. Approve an ordinance waiving or reimbursing certain fees for the Truth be Told fundraising event sponsored by Truth be Told which was held Thursday, October 27th, 2016 at the Asian American Resource Center.  
( Notes: SPONSOR: Council Member Sheri Gallo CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Gregorio Casar CO 3: Council Member Ora Houston CO 4: Council Member Delia Garza )
16. Approve a resolution initiating historic zoning for the property located at 1618 Palma Plaza and initiating an amendment to City Code Chapter 25-11 relating to the release of certain demolition permits.  
( Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Ora Houston CO 2: Council Member Ann Kitchen CO 3: Council Member Leslie Pool )
17. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Travis Country 5K event sponsored by Travis Country Homeowner's Association which was held May 1, 2016 on Travis Country Circle and Republic of Texas Boulevard.  
( Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Council Member Ora Houston CO 2: Council Member Sheri Gallo CO 3: Council Member Don Zimmerman )

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

18. Set a public hearing to consider an ordinance regarding floodplain variances for the construction of a new single family residence at 4515 Avenue D as requested by the owner of the property. The property is located in the 25-year and 100-year floodplains of Waller Creek. (District 9) (Suggested date and time: December 8, 2016, 4:00 p.m. at Austin City Hall, 301 W. Second Street).

#### **Non-Consent**

#### **Action on Item(s) with Closed Public Hearings - per City Code Section 2-5-27, additional speakers will not be registered**

19. C7a-2016-0003 – Entrada – Approve an ordinance to annex the Entrada annexation area for full purposes (approximately 246 acres in northeastern Travis County south of Wells Branch Parkway at the intersection of Immanuel Road and Crystal Bend Drive; contiguous to District 1). THE PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON OCTOBER 6 AND 13, 2016.

20. C7a-2016-0005 – Malone Preliminary Plan – Approve an ordinance to annex the Malone Preliminary Plan annexation area for full purposes (approximately 40.48 acres in southwestern Travis County one-half mile south of the intersection of West Slaughter Lane and Slaughter Creek Drive between Slaughter Creek Drive and Billbrook Place; contiguous to District 5). THE PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON OCTOBER 6 AND 13, 2016.
21. C7a-2016-0006 – Mooreland Addition – Approve an ordinance to annex the Mooreland Addition annexation area for full purposes (approximately 34 acres in southwestern Travis County east of the intersection of Manchaca Road and Mooreland Drive; contiguous to District 5). THE PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON OCTOBER 6 AND 13, 2016.
22. C7a-2016-0007 – Smithfield/Frate Barker – Approve an ordinance to annex the Smithfield/Frate Barker annexation area for full purposes (approximately 46 acres in southwestern Travis County at the intersection of Frate Barker Road and Manchaca Road; contiguous to District 5). THE PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON OCTOBER 6 AND 13, 2016.
23. C7a-2016-0008 – Upper East End Subdivision – Approve an ordinance to annex the Upper East End Subdivision annexation area for full purposes (approximately 29 acres in northeastern Travis County on East Howard Lane, approximately two tenths of a mile west of East Howard Lane and Cantarra Drive; contiguous to District 1). THE PUBLIC HEARINGS FOR THESE ITEMS WERE HELD AND CLOSED ON OCTOBER 6 AND 13, 2016.

**10:00 AM - Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

24. NPA-2016-0010.02 - East Sixth Street Village - District 3 - Approve second and third readings of an ordinance amending Ordinance No. 011213-43, the Holly Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 622 Pedernales Street (Lady Bird Lake Watershed) from Industry land use to Mixed Use land use. First Reading approved on September 22, 2016. Vote: 10-0, Council Member Troxclair was off the dais. Owner/Applicant: 2422 Hidalgo Street, LP (M. Timothy Clark). Agent: 2422 Hidalgo Street, LP (David Cox). City Staff: Maureen Meredith, 512-974-2695.
25. C14-2016-0041 - East Sixth Street Village South - District 3 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2416 East Sixth Street (Lady Bird Lake

Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. First Reading approved on September 22, 2016. Vote: 10-0, Council Member Troxclair was off the dais. Owner/Applicant: 2416 East Sixth Street, L.P. (David Cox). City Staff: Heather Chaffin, 512-974-2122.

26. C14-2016-0043 - East Sixth Street Village North - District 3 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 622 Pedernales Street (Lady Bird Lake Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. First Reading approved on September 22, 2016. Vote: 10-0, Council Member Troxclair was off the dais. Owner/Applicant: 2416 East Sixth Street, L.P. (David Cox). City Staff: Heather Chaffin, 512-974-2122.
27. NPA-2016-0025.01 - Lantana Tract 33 - District 8 - Approve second and third readings of an ordinance amending Ordinance No. 20081211-096, the Oak Hill Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6701, 6825-½, and 7045-½ Rialto Boulevard (Barton Creek Watershed; Williamson Creek Watershed-Barton Springs Zone) from Office land use to Multifamily land use. First Reading approved on September 22, 2016. Vote: 10-0, Council Member Troxclair was off the dais. Owner/Applicant: Lantana Tract 33, L.P. (Barry P. Marcus). Agent: Smith, Robertson, Elliott & Douglas, LLP (Mary Stratmann). City Staff: Maureen Meredith, 512-974-2695.
28. C14-2016-0011 - Lantana Tract 33 - District 8 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 6701, 6825-½, and 7045-½ Rialto Boulevard (Barton Creek Watershed; Williamson Creek Watershed-Barton Springs Zone) from general office-neighborhood plan (GO-NP) combining district zoning to multifamily residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. First Reading approved on September 22, 2016. Vote: 10-0, Council Member Troxclair was off the dais. Owner/Applicant: Lantana Tract 33, LP (Barry P. Marcus). Agent: Smith, Robertson, Elliott & Douglas, LLP (David Hartman). City Staff: Andrew Moore, 512-974-7604.
29. NPA-2016-0016.03 – Casa Lara – District 3 – Approve second and third readings of an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6011 Bolm

Road (Boggy Creek Watershed) from Commercial land use to Mixed Use land use. First Reading approved on October 13, 2016. Vote 10-0, Council Member Troxclair was off the dais. Owner/Applicant: Jeanette Lara Lewis. Agent: Oakland Urban (Christopher Oakland). City Staff: Maureen Meredith, 512-974-2695.

30. C14-2016-0082 - Casa Lara - District 3 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 6011 Bolm Road (Boggy Creek Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. First Reading approved on October 13, 2016. Vote 10-0, Council Member Troxclair was off the dais. Owner: Jeanette Lara Lewis. Applicant: Oakland Urban (Christopher Oakland). City Staff: Heather Chaffin, 512-974-2122.
31. C14-2016-0037 – Scofield Apartments – District 7 – Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 13121, 13125, 13133, 13139, 13145, 13147 FM 1325 and 3001 Scofield Ridge Parkway (Walnut Creek Watershed) from community commercial (GR) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, with conditions. First Reading approved on October 13, 2016. Vote: 9-0, Council Member Renteria and Council Member Troxclair were off the dais. Owner/Applicant: Ringgold Partners II, L.P. (John Bultman, III). Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.
32. C814-2012-0152 - Pilot Knob Planned Unit Development - District 2 - Approve third reading of an ordinance amending City Code Title 25 by zoning property locally known as east and southeast of the intersection of East William Cannon Drive and McKinney Falls Parkway, and west of South U.S. Highway 183 and FM 1625 (Cottonmouth Creek Watershed; North Fork Creek Watershed; South Fork Creek Watershed) from interim-rural residence (I-RR) district zoning and interim-single family residence-standard lot (SF-4A) district zoning to planned unit development (PUD) district zoning. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First Reading approved on October 8, 2015. Vote: 10-0, Council Member Pool was off the dais. Second Reading approved on November 19, 2015. Vote: 11-0. Owner/Applicant: Carma Easton, Inc. (Logan Kimble). Agent: Armbrust & Brown, L.L.P. (Lynn Ann Carley). City Staff: Wendy Rhoades, 512-974-7719. Related to Item #8

**10:00 AM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

33. C14-85-288.8 (RCA3) - Lantana Tract 33 - District 8 - Conduct a public hearing to amend a restrictive covenant on property locally known as 6701,

6825-½, and 7045-½ Rialto Boulevard (Barton Creek Watershed; Williamson Creek Watershed-Barton Springs Zone). Staff Recommendation: To grant the amendment to remove net leasable square footage and floor-to-area ratio restriction, reduce the allowable impervious cover and require on-site water quality controls. Planning Commission Recommendation: To grant the amendment to remove net leasable square footage and floor-to-area ratio restriction, reduce the allowable impervious cover and require on-site water quality controls. Owner/Applicant: Lantana Tract 33, LP (Barry P. Marcus). Agent: Smith, Robertson, Elliott & Douglas, LLP (David Hartman). City Staff: Andrew Moore, 512-974-7604.

34. NPA-2015-0015.03 - 5010 & 5012 Heflin Lane - District 1 - Conduct a public hearing and approve an ordinance amending Ordinance No. 021107-Z-11 the East MLK Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 5010 and 5012 Heflin Lane (Fort Branch Creek Watershed) from Single Family land use to High Density Single Family land use. Staff Recommendation: Not applicable; Case withdrawn by Applicant. Planning Commission Recommendation: Not applicable; Case withdrawn by Applicant. Owner: Heflin Phase I, LLC and Shirley Green (Lynn Yuan). Applicant: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Kathleen Fox, 512-974-787.
35. C14-2015-0114 - 5010 & 5012 Heflin Lane - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5010 and 5012 Heflin Lane (Fort Branch Creek Watershed) from single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: Not applicable; Case withdrawn by Applicant. Planning Commission Recommendation: Not applicable; Case withdrawn by Applicant. Owner: Heflin Phase I, LLC and Shirley Green (Lynn Yuan). Applicant: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Heather Chaffin, 512- 974-2122.
36. NPA-2015-0005.04 – Lenox Oaks – District 3 – Conduct a public hearing and approve second and third reading of an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6705, 6707, 6709 Ponca Street; 434 Bastrop Highway Southbound; 444, 446, 448, 450, 452, 454, 456 Bastrop Highway Southbound; and 500 Bastrop Highway Southbound (Carson Creek Watershed) from Single Family, Office and Commercial land uses to Mixed Use, Commercial, Mixed Use/Office and Multifamily land uses. First Reading approved on September 22, 2016. Vote: 9-1, Mayor Pro Tem Tovo voted nay; Council Member Troxclair was off the dais. Owner/Applicant: 422 Bastrop Hwy., Ltd; 500 Bastrop Hwy., Ltd., and Chase Equities, Inc. (Jimmy Nassour). Agent: Smith, Robertson, Elliott &



Douglas, L.L.P. (David Hartman). City Staff: Maureen Meredith, 512-974-2695.

37. C14-2015-0104 – Lenox Oaks – District 3 – Conduct a public hearing and approve second and third reading of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 434-500 Bastrop Highway Southbound and 6705-6709 Ponca Street (Carson Creek Watershed; Colorado River Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning and single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 1 and Tract 2; from general commercial services-neighborhood plan (CS-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 3; from general commercial services-neighborhood plan (CS-NP) combining district zoning, general office-neighborhood plan (GO-NP) combining district zoning, family residence-neighborhood plan (SF-3-NP) combining district zoning and single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 4; and from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 5. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning for Tract 1 and Tract 2; general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 3; general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning and multifamily residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 4; and multifamily residence-low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning for Tract 5. Planning Commission Recommendation: To forward to Council without a recommendation. Owner/Applicant: UT Land Company, Ltd./Jimmy Nassour. Agent: Smith, Robertson, Elliot & Douglas, LLP (David Hartman). City Staff: Andrew Moore, 512-974-7604. First Reading approved on September 22, 2016. Vote 9-1, Mayor Pro Tem Tovo voted nay; Council Member Troxclair was off the dais. Owner/Applicant: UT Land Company, Ltd. (Jimmy Nassour). Agent: Smith, Robertson, Elliott &

Douglas, LLP (David Hartman). City Staff: Andrew Moore, 512-974-7604.

38. NPA-2016-0013.01 - Bouldin Courts - District 9 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20020533-32, the Bouldin Creek Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 908, 1000, & 1002 South 2nd Street (East Bouldin Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation: To grant Higher Density Single Family land use. Planning Commission Recommendation: To grant Higher Density Single Family land use. Owner/Applicant: PSW Homes, LLC (Jarrod Corbell). City Staff: Maureen Meredith, (512) 974-2695.
39. C14-2016-0077 – Bouldin Courts – District 9 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 900, 904, 908, 1000 & 1002 South 2nd Street and 705 Christopher Street (East Bouldin Creek Watershed) community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Agent: PSW Homes (Jarrod Corbell). Owner: 1st Street Highlands LP (PSW Homes). City Staff: Andrew Moore, 512-974-7604.
40. NPA-2016-0021.01 - Ben White Zoning - District 3 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 5016 ½ E. Ben White Blvd. (Country Club West/Carson Creek Watershed) from Commercial land use to Mixed Use land use. Staff Recommendation: To grant Commercial land use and Mixed Use land use. Planning Commission Recommendation: To grant Commercial land use and Mixed Use land use. Owner/Applicant: Ashley Gibson). Agent: Brown and Gay Engineers (Steven Buffum, P.E.). City Staff: Maureen Meredith, 512-974-2695.
41. C14-2016-0069 - Ben White Zoning - District 3 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 5016 ½ East Ben White Boulevard (West Country Club and Carson Creek Watersheds) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-

neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to community commercial-mixed use-conditional overlay -neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 2. Staff Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning for Tract 1, general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 2 and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU- CO-NP) combining district zoning for Tract 3. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning for Tract 1 and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 2. Applicant: Brown & Gay Engineers (Steven Buffum). Owner: Azur Property Investment. City Staff: Andrew Moore, 512-974-7604.

42. C14-2015-0052 – Removal of Historic (H) overlay and removal of Conditional Overlay (CO) – District 9 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 507 West 23rd Street (Shoal Creek Watershed) from general office-conditional overlay-historic-neighborhood plan (GO-CO-H-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-neighborhood plan (GO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-neighborhood plan (GO-NP) combining district zoning. Owner: 23 Nueces LLC (Edward Johnson). Applicant: Mike McHone Real Estate (Mike McHone). City Staff: Heather Chaffin, 512- 974-2122.
43. C14-2015-0160 - Champions Tract #3 - District 10 - Conduct a public hearing and approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 6409 City Park Road (West Bull Creek Watershed) from general office-conditional overlay (GO-CO) combining district zoning to multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. First Reading approved on June 23, 2016. Vote: 11-0. Second Reading approved on September 22, 2016. Vote: 9-0, Council Member Pool abstained; Council Member Troxclair was off the dais. Owner/Applicant: Champion Assets LTD & Champion Legacy Partners LP (Josie Ellen Champion, Alma Juanita Champion Meier, Margaret Jo Roberson Duff). Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Jerry Rusthoven, 512-974-3207. Related to Item #6
44. C14-2016-0020 - Lantana IV - District 8 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7717 Southwest Parkway (Williamson Creek Watershed-Barton Springs Zone) from neighborhood commercial-neighborhood plan

(LR-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on December 13, 2016. Owner/Applicant: JDI Holding LLC (Douglas Ivey). Agent: Permit Partners LLC (David Cancialosi). City Staff: Andrew Moore, 512-974-7604.

45. C14-2016-0021 - Double Creek Residences - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 420 East FM 1626 Road (Onion Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning, general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, and community commercial (GR-CO) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on December 6, 2016. Owner/Applicant: Riddell Family Limited Partnership (Jim Henry). Agent: Walters Southwest (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719.
46. C14-2016-0039 - Thornton II - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2413 Thornton Road (West Bouldin Creek Watershed) from general commercial services (CS) district zoning to multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Staff Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Planning Commission Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Applicant: South Llano Strategies (Glen Coleman). Owner: John & Susan Hoberman. City Staff: Andrew Moore, 512-974-7604.
47. C14-2016-0050 - Plaza Saltillo Tract 1/2/3 - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 901, 1011, and 1109 E. 5th Street (Waller Creek Watershed) from transit oriented development-neighborhood plan (TOD-NP) combining district zoning to transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Staff Recommendation: To grant transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on November 8, 2016. Owner: Capital Metro Transportation Authority (Shanea Davis). Applicant: Land Use Solutions, LLC (Michele Haussmann). City Staff: Heather Chaffin, 512-974-2122.
48. C14-2016-0049 - Plaza Saltillo Tract 4/5 - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1211 and 1301 E. 5th Street (Waller Creek Watershed; Lady Bird Lake Watershed) from transit oriented development-

neighborhood plan (TOD-NP) combining district zoning to transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Staff Recommendation: To grant transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on November 8, 2016. Owner: Capital Metro Transportation Authority (Shanea Davis). Applicant: Land Use Solutions, LLC (Michele Haussmann). City Staff: Heather Chaffin, 512-974-2122.

49. C14-2016-0051 - Plaza Saltillo Tract 6 - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 413 Navasota Street (Lady Bird Lake Watershed) from transit oriented development-neighborhood plan (TOD-NP) combining district zoning to transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Staff Recommendation: To grant transit oriented development-central urban redevelopment-neighborhood plan (TOD-CURE-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on November 8, 2016. Owner: Capital Metro Transportation Authority (Shanea Davis). Applicant: Land Use Solutions, LLC (Michele Haussmann). City Staff: Heather Chaffin, 512-974-2122.
50. C14-2016-0063.SH - Villas at Vinson Oak Rezone - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4507 and 4511 Vinson Drive (Williamson Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To be reviewed December 13, 2016. The ordinance may include waiver of fees. Owner/Applicant: Notigius LLC - Series Vinson (Antonio Giustino). Agent: Perales Engineering, LLC (Jerry Perales, P.E.). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.
51. C14-2016-0065 - Pioneer Bank on W. 38th St. - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 623 West 38th Street (Waller Creek Watershed) from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To be reviewed December 13, 2016. Owner: Pioneer Bank, SSB (Brian May). Applicant: Doucet & Associates (Ted McConaghy).

City Staff: Heather Chaffin, 512- 974-2122.

52. C14-2016-0068 - 1308 E. Braker Lane Rezoning - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1308 East Braker Lane (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to multifamily residence-moderate-high density (MF-4) district zoning. Staff Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Zoning and Platting Commission Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Owner: Sinh Trong Le. Applicant: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122.
53. C14-2016-0072 – 39th Street Apartments – District 9 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 405-407 West 39th Street (Waller Creek Watershed) from family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning to multifamily residence-moderate-high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence-moderate-high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-NP) combining district zoning. Owner: 405 West 39th Street LLC. Applicant: Mike McHone Real Estate (Mike McHone). City Staff: Heather Chaffin, 512-974-2122.
54. C14-2016-0078 – 1114 Kramer Lane Rezoning – District 4 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1114 Kramer Lane and 11107 Plains Trail and 11109 Plains Trail (Little Walnut Creek Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning and neighborhood office (NO) district zoning to multifamily residence-medium density (MF-3) district zoning. Staff Recommendation: To grant multifamily residence-medium density-conditional overlay (MF-3-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multifamily residence-medium density-conditional overlay (MF-3-CO) combining district zoning. Owner/Applicant: Octavian Herescu. Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Sherri Sirwaitis, 512-974-3057.
55. C14-2016-0086 – La Mexicana Supermercado Rezoning – District 2 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2004 East William Cannon Drive (Williamson Creek Watershed) from neighborhood commercial (LR) district zoning and multifamily residence-medium density (MF-3) district zoning to neighborhood commercial (LR) district zoning for Tract 1 and

multifamily residence-medium density (MF-3) district zoning for Tract 2. Staff Recommendation: To grant neighborhood commercial (LR) district zoning for Tract 1 and multifamily residence-medium density (MF-3) district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant neighborhood commercial (LR) district zoning for Tract 1 and multifamily residence-medium density (MF-3) district zoning for Tract 2. Owner/Applicant: TATI Investments Group, LLC (Zulfiqar Maknojia). Agent: Cuatro Consultants, Ltd. (Hugo Elizondo, Jr.). City Staff: Wendy Rhoades, 512-974-7719.

56. C14-2016-0091 – ACS/Bearcreek Properties – District 5 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4001 S. Lamar Boulevard (Williamson Creek Watershed; Barton Creek Watershed-Barton Springs Zone) from general commercial services-vertical mixed use building (CS-V) combining district zoning to commercial-liquor sales-vertical mixed use building (CS-1-V) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-vertical mixed use building-conditional overlay (CS-1-V-CO) combining district zoning. Planning Commission Recommendation: To grant commercial-liquor sales-vertical mixed use building-conditional overlay (CS-1-V-CO) combining district zoning. Agent: Thrower Design (Ron Thrower). Owner: ACS/Bearcreek Properties Ltd. (Manny Frahani). City Staff: Andrew Moore, 512-974-7604.
57. C14-2016-0095 – Completion of Lot 6 Zoning – District 8 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9100 West State Highway 71 (Williamson Creek Watershed-Barton Springs Zone) from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To grant general office-neighborhood plan (GO-NP) combining district zoning. Planning Commission Recommendation: To grant general office-neighborhood plan (GO-NP) combining district zoning. Owner/Applicant: River City Partners Management Ltd. (Lee Raines). Agent: Sprouse Shrader Smith, PLLC (Terrence Irion). City Staff: Wendy Rhoades, 512-974-7719.
58. C14-2016-0096 – 7901 Ranch Road 2222 – District 10 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7901 Ranch to Market Road 2222 (West Bull Creek Watershed) from limited office-conditional overlay (LO-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. Staff Recommendation: To grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on November 15, 2016. Owner/Applicant: Malamae/Dentastic, LP (James V. Potter). Agent: John Stinson. City Staff: Sherri Sirwaitis, 512-974-3057.

59. C14-2016-0101 – 3900 Pearce Road – District 10 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3900 Pearce Road (Lake Austin Watershed) from rural residence (RR) district zoning to single family residence-large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence-large lot-conditional overlay (SF-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant single family residence-large lot-conditional overlay (SF-1-CO) combining district zoning. Applicant: Luxor Custom Homes (Denise Perry). Owner: Luxor Custom Homes (Blair Drenner). City Staff: Andrew Moore, 512-974-7604.
60. C14-2016-0102 – 3906 Pearce Road – District 10 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3906 Pearce Road (Lake Austin Watershed) from development reserve (DR) district zoning to single family residence-large lot (SF-1) district zoning. Staff Recommendation: To grant single family residence-large lot-conditional overlay (SF-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant single family residence-large lot-conditional overlay (SF-1-CO) combining district zoning. Applicant: Luxor Custom Homes (Denise Perry). Owner: Luxor Custom Homes (Blair Drenner). City Staff: Andrew Moore, 512-974-7604.
61. C814-2012-0128.01.SH – thinkEAST Austin – District 1 – Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1141 Shady Lane and 5300 Jain Lane (Boggy Creek Watershed) from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning. The ordinance may include modification of city regulations. Owner/Applicant: thinkEAST Austin Management, LLC (Richard deVarga). City Staff: Heather Chaffin, 512-974-2122.
62. C814-2014-0120 - Austin Oaks PUD - District 10 - Conduct a public hearing and approve an ordinance amending City Code Chapter Title 25 by rezoning property locally known as 3409, 3420, 3429, 3445, 3520, 3636, 3701, 3721, 3724, and 3737 Executive Center Drive and 7601, 7718 and 7719 Wood Hollow Drive (Shoal Creek Watershed) from community commercial (GR) district zoning, neighborhood commercial (LR) district zoning, limited office (LO) district zoning and family residence (SF-3) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and



acquisition of property. Applicant: Graves Dougherty Hearon & Moody (Michael Whellan). Owner: Twelve Lakes LLC, Jon Ruff. City Staff: Andrew Moore, 512-974-7604.

63. C814-2015-0074 – The Grove at Shoal Creek PUD – District 10 – Conduct a public hearing and approve second reading of an ordinance amending City Code Title 25 by rezoning property locally known as 4205 Bull Creek Road (Shoal Creek Watershed) from unzoned (UNZ) district zoning to planned unit development (PUD) district zoning. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First Reading approved on October 20, 2016. Vote: 8-2, Council Member Houston and Mayor Pro Tem Tovo voted nay; Council Member Troxclair was off the dais. Owner/Applicant: ARG Bull Creek, Ltd. (Garrett Martin). Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

#### **12:00 PM - Citizen Communications: General**

Carlos León - 1) God, Jesus Christ, and the Holy Spirit are the most high and mighty; 2) Eradicate Austin's alien chemtrails; 3) Losing your marbles Vol. II, Part ?

Gus Peña - 1) Happy Veterans Day to all my Military veterans. Veterans Day is Nov. 11, 2016. We veterans gave it our all. 2) You all will have the day off. Many of our veterans are homeless or unemployed. Please thank a veteran for his or her service to our country's freedom, safety and democracy and for other countries freedom, safety, and democracy. 3) Especially recognize, thank, and support our female veterans for their service to our country, and other countries freedom safety and democracy. November 10, 2016 is my United States Marine Corps Birthday. We (our U.S.M.C.) is 241 years old Semper Fi to all my fellow Marines. We gave it our all. 4) My dad Lucio WWI vet. my step brother Lucio World War II, Pilar, Edward, me Gus, United States Marines, Gilbert, Lucio III Navy, Jesse Air Force. Peña family well represented and fought for our country USA.

CAROLANNE ROSE KENNEDY - BLACKCHRISTMAS.

Asad Halai - Tax Property purchase - previous lien payout.

Moses Saldana - Pledge of Allegiance.

Sara Black - Oral response to Citizen survey.

Lisa Hinley - Restore Rundberg final report.

Zenobia Joseph - Public Information Requests, Greater Austin Black Chamber of Commerce- \$171K Accountability, FY 2017 Budget Recommendation.

Kyle Hoskins - TBA.

Reedy Spigner - East Austin Land Survey.

### **Executive Session**

64. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
65. Discuss legal issues related to the application of anti-lobbying regulations to Request For Proposals CDL2003, for the management of biosolids reuse and Request For Proposals JXP0501, for the sale and removal of compost material. (Private consultation with legal counsel - Section 551.071 of the Government Code)
66. Discuss legal issues related to Chapter 245 of the Texas Local Government Code and proposed approval of a Project Consent Agreement for property located at 2636 Bliss Spillar Road and 12501 Hewitt Lane. (Private consultation with legal counsel - Section 551.071 of the Government Code)

### **4:00 PM - Public Hearings and Possible Actions**

67. Conduct a public hearing and consider an ordinance regarding floodplain variances for construction of a commercial building and associated parking at 1000 N. Lamar Blvd within the 25-year and 100-year floodplains of Shoal Creek. (District 9)
68. Conduct a public hearing for the full purpose annexation of the Wildhorse/Webb Tract annexation area (approximately 104 acres in eastern Travis County at the northeastern corner of the intersection of Decker Lane and Lindell Lane; contiguous to District 1).
69. Conduct a public hearing and consider an ordinance amending City Code Title 25 to require Historic Landmark Commission review of demolition applications for structures that are fifty years or older and dedicated to certain civic uses.
70. Conduct a public hearing and consider an appeal of an outdoor music venue permit, approved by the Development Services Department, for the Scoot Inn at 1308 E. 4th Street.
71. Conduct a public hearing and consider second and third readings of an ordinance approving a Project Consent Agreement waiving provisions of City Code Title 25 to incentivize preservation of a 41.04 acre tract of land at 2636 Bliss Spillar Road located within the Barton Springs Zone and allowing construction of commercial development of a 12.08 acre tract of land located at 12501 Hewitt Lane in the City's Desired Development Zone.

## Adjourn



*The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*



*For assistance, please call 512-974-2210 or TTY users route through 711.*

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.