



September 3, 2020

## Questions and Answers Report



Mayor Steve Adler

Mayor Pro Tem Delia Garza, District 2

Council Member Natasha Harper-Madison, District 1

Council Member Sabino "Pio" Renteria, District 3

Council Member Gregorio Casar, District 4

Council Member Ann Kitchen, District 5

Council Member Jimmy Flannigan, District 6

Council Member Leslie Pool, District 7

Council Member Paige Ellis, District 8

Council Member Kathie Tovo, District 9

Council Member Alison Alter, District 10

*The City Council Questions and Answers Report was derived from a need to provide City Council Members an opportunity to solicit clarifying information from City Departments as it relates to requests for council action. After a City Council Regular Meeting agenda has been published, Council Members will have the opportunity to ask questions of departments via the City Manager's Agenda Office. This process continues until 5:00 p.m. the Tuesday before the Council meeting. The final report is distributed at noon to City Council the Wednesday before the council meeting.*

## QUESTIONS FROM COUNCIL

**Item #6:** Ratify execution of an agreement with Longhorn Capital Hospitality LLC, for the option to occupy the real property located at 5812 N Interstate Highway 35, for emergency housing, supportive housing and isolation of individuals related to the COVID-19 pandemic, for a 60-day term, with an option to extend for two additional 30 day terms, for an amount not to exceed \$864,000.

### COUNCIL MEMBER ALTER'S OFFICE

*Please provide a written summary of our existing pro lodges and isolation facilities. Please include details as to their current usage, future plans, money spent to date, and the funding sources used for each facility. Please provide information on sites not currently used but are options for use if needed.*

Below is a summary of the current facilities that the City has secured in response to the COVID-19 pandemic to provide isolation facilities to those individuals that cannot safely self-isolate. Like other federally declared emergency events, the General Fund Emergency Reserve funds are used to initially pay for expenses of this type and have been used to initially pay for use of the Isolation Facility and Protective Lodges 1-4. The intent is to reimburse the General Fund Emergency Reserve funds with CARES funding and FEMA reimbursement funding. The optional facility referenced by Item #6 would be initially paid for with General Fund Emergency Reserves with the intent to get reimbursed from CARES funding and FEMA reimbursement funding.

Protective Lodge 5 was paid for through CDBG funding because the hotel's long-term use is intended for bridge housing or permanent supportive housing. Additionally, Protective Lodge 5 was acquired prior to the COVID-19 pandemic as part of the City's Motel Conversion Strategy. Utilizing this hotel on a temporary basis as a Protective Lodge best supports the City's public health efforts to mitigate the spread of COVID-19.

#### **Isolation Facility #1**

Address:	6121 N I-35
District:	4
Number of Guest Rooms:	292
Initial Occupancy Date:	March 25, 2020
Future Use:	Temporary Occupancy only
Funding Source:	General Fund Emergency Reserve
To Date Spending:	\$4,062,788.99

#### **Protective Lodging #1**

Address:	4200 S I-35
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District: 3  
Number of Guest Rooms: 129  
Initial Occupancy Date: April 1, 2020  
Future Use: Temporary Occupancy only  
Funding Source: General Fund Emergency Reserve  
To Date Spending: \$1,323,540.00

**Protective Lodging #2**

Address: 8010 N I-35  
District: 4  
Number of Guest Rooms: 71  
Initial Occupancy Date: April 10, 2020  
Future Use: Temporary Occupancy only  
Funding Source: General Fund Emergency Reserve  
To Date Spending: \$637,144.76

**Protective Lodging #3**

Address: 3105 N I-35  
District: 9  
Number of Guest Rooms: 65  
Initial Occupancy Date: April 25, 2020  
Future Use: Temporary Occupancy Only  
Funding Source: General Fund Emergency Reserve  
To Date Spending: \$637,144.76

**Protective Lodging #4**

Address: 7400 N I-35  
District: 4  
Number of Guest Rooms: 129  
Initial Occupancy Date: May 12, 2020  
Future Use: Under contract to purchase for Permanent Supportive Housing  
Funding Source: General Fund Emergency Reserve for temporary occupancy and GO Bonds for purchase  
To Date Spending: \$499,999.98

**Protective Lodging #5**

Address: 2711 S I-35  
District: 3  
Number of Guest Rooms: 87  
Initial Occupancy Date: August 6, 2020  
Future Use: City-owned; Bridge Housing or Permanent Supportive Housing  
Funding Source: CDBG  
To Date Spending: \$6,307,280.00

**Optional Facility (Item #6 on 9/3 Agenda)**

Address:	5812 N I-35
District:	4
Number of Guest Rooms:	120
Initial Occupancy Date:	To be determined, under option contract to occupy if needed
Future Use:	Temporary Occupancy only
Funding Source:	General Fund Emergency Reserve
To Date Spending:	\$2,000.00 (Option funds)

**Item #15:** Authorize award of a contract with Overseas Parts Distributing Inc. D/B/A Alamo BMW, to provide police motorcycles, in an amount not to exceed \$503,405.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**COUNCIL MEMBER FLANNIGAN'S OFFICE**

*Will the motorcycles be tied to a specific department, or are they simply included in the City's fleet?*

The motorcycles in question are replacements that will be purchased by Fleet as City-owned assets and are currently scheduled to be assigned to the APD's traffic enforcement division.

**Item #17:** Authorize negotiation and execution of a multi-term contract with Silvia B Kenig Inc. (MWBE), or one of the other qualified offerors to Request For Proposals 4600 LNH3020, to provide Spanish interpretation and translation services for municipal court, for up to five years for a total contract amount not to exceed \$3,832,840.

**COUNCIL MEMBER ALTER'S OFFICE**

*What other languages services are provided in addition to Spanish translation/interpretation? Please provide details on all language access services at the Municipal Court.*

The contract this RCA is referencing is for Spanish only interpretations and translations. The court, however, does utilize other agreements for languages other than Spanish for court related business at the request of the customer.

An interlocal agreement (ILA) with Travis County is used for in-person or video sign language interpretation in courtrooms and during arraignments; Masterword is used for in-person scheduled language interpretation other than Spanish for courtroom settings, and Language Line is used for over the phone interpretations other than Spanish for settings outside of courtrooms.

**Item #47:** C14-2019-0061 - This Old Wood Rezoning -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 13313 Old Gregg Lane (Harris Branch Watershed). Applicant Request: To rezone from rural residence (RR) district zoning to warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning. Staff

Recommendation and Zoning and Platting Commission Recommendation: To grant warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning. Owner/Applicant: Jeffrey Spector. Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Sherri Sirwaitis, 512-974-3057.

COUNCIL MEMBER ALTER'S OFFICE

*Exhibit C in the back-up is a letter where the applicant requests W/LO-CO zoning. Was this letter part of his original zoning application filed with the city earlier this year or was this letter sent sometime after submitting his original application?*

The applicant submitted a letter with the rezoning application requesting W/LO-MU-CO zoning (please see attached rezoning application and applicant submittal letter). After reviewing the application and request letter, the staff reminded the agent for the case, Jim Wittliff, that the Code does not permit an "MU" combining district with the W/LO base district (please see attached Code section regarding the MU Combining District regulations). Therefore, the applicant revised their application/zoning request letter on June 11, 2020 to remove the MU request (please see revised applicant request letter).

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### Council Question and Answer

Related To

Item #6

Meeting Date

September 3, 2020

### Additional Answer Information

Ratify execution of an agreement with Longhorn Capital Hospitality LLC, for the option to occupy the real property located at 5812 N Interstate Highway 35, for emergency housing, supportive housing and isolation of individuals related to the COVID-19 pandemic, for a 60-day term, with an option to extend for two additional 30 day terms, for an amount not to exceed \$864,000.

#### **QUESTION/ANSWER:** Council Member Alter's Office

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### Council Question and Answer

**Related To**

Item #15

**Meeting Date**

September 3, 2020

### Additional Answer Information

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**QUESTION/ANSWER:** Council Member Flannigan's Office

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The motorcycles in question are replacements that will be purchased by Fleet as City-owned assets and are currently scheduled to be assigned to the APD's traffic enforcement division.





### Council Question and Answer

Related To	Item #17	Meeting Date	September 3, 2020
Additional Answer Information			

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### Council Question and Answer

**Related To**

Item #47

**Meeting Date**

September 3, 2020

### Additional Answer Information

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*Exhibit C in the back-up is a letter where the applicant requests W/LO-CO zoning. Was this letter part of his original zoning application filed with the city earlier this year or was this letter sent sometime after submitting his original application?*

The applicant submitted a letter with the rezoning application requesting W/LO-MU-CO zoning (please see attached rezoning application and applicant submittal letter). After reviewing the application and request letter, the staff reminded the agent for the case, Jim Wittliff, that the Code does not permit an "MU" combining district with the W/LO base district (please see attached Code section regarding the MU Combining District regulations). Therefore, the applicant revised their application/zoning request letter on June 11, 2020 to remove the MU request (please see revised applicant request letter).

## MEMORANDUM

Re: Rezoning Request  
13313 Old Gregg Lane

Dear City Zoning Review Staff,

This application is to rezone a 9.41-acre platted lot from RR to W/LO-CO-MU. Although the vast majority of this property is in the 100-year floodplain of Harris Branch Creek, there are small areas outside the floodplain along Howard Lane. The property owner would like to construct a small 6,000-8,000 square foot warehouse for his wood recycling business, which reclaims lumber from demolished structures. He also wants to build one residence on the property. He has spoken with his neighbors and currently has several letters of support for this rezoning, which we will forward to you soon. Via a Conditional Overlay, we are willing to prohibit all W/LO uses, except for Office, Warehouse and General Retail Sales. Please call me if you have any questions regarding our rezoning request.

Thank you,

Jim Wittliff



# ZONING

## APPLICATION FOR ZONING

### DEPARTMENT USE ONLY

APPLICATION DATE \_\_\_\_\_ FILE NUMBER(S) \_\_\_\_\_  
 TENTATIVE ZAP/PC DATE \_\_\_\_\_ TENTATIVE CC DATE \_\_\_\_\_  
 CASE MANAGER \_\_\_\_\_ CITY INITIATED YES NO  
 APPLICATION ACCEPTED BY \_\_\_\_\_ ROLLBACK YES NO

### PROJECT DATA

OWNER'S NAME: Jeffrey Spector  
 PROJECT NAME: This Old Wood Rezoning  
 PROJECT STREET ADDRESS (or Range): 13313 Old Gregg Lane  
Austin ZIP 78660 COUNTY: Travis

If project address cannot be defined, provide the following information:

\_\_\_\_\_ ALONG THE \_\_\_\_\_ SIDE OF \_\_\_\_\_ APPROXIMATELY  
*Frontage ft. (N,S,E,W) Frontage road*  
 \_\_\_\_\_ FROM ITS INTERSECTION WITH \_\_\_\_\_  
*Distance Direction Cross street*

TAX PARCEL NUMBER(S): 0256360219

Is Demolition proposed? No

If Yes, how many residential units will be demolished? \_\_\_\_\_ Unknown \_\_\_\_\_

Number of these residential units currently occupied\*\*: \_\_\_\_\_

Is this zoning request to rezone a parcel that contains an existing mobile home park with five or more occupied units?\*\* \_\_\_\_\_ If Yes, how many? \_\_\_\_\_

Type of Residential Unit: SF, duplex, triplex, townhouse/condo, multi-family, manufactured home: \_\_\_\_\_

Number of Proposed Residential units (if applicable): \_\_\_\_\_ If Yes, how many of the following:

\_\_\_\_\_ 1 Bedroom \_\_\_\_\_ Affordable \_\_\_\_\_ 2 Bedroom \_\_\_\_\_ Affordable  
 \_\_\_\_\_ 3 Bedroom \_\_\_\_\_ Affordable \_\_\_\_\_ 4 or more Bedroom \_\_\_\_\_ Affordable \_\_\_\_\_ Unknown

\*\* If 5 or more, tenant notification may be required and a certified form may be required with your application (LDC 25-1-712).

Tenants must receive notification at least 270 days before the application is eligible for final ordinance readings by City Council.

AREA TO BE REZONED: ACRES 9.41 OR SQ FT \_\_\_\_\_

Existing Zoning	Existing Use	Tract #	# of Acres/SF	Max # of Res Units Per Acre	
RR	Vacant	1	9.41	1	
Proposed Zoning	Proposed Use	Tract #	Proposed # of Acres/SF	Max # of Res Units Per Acre	Proposed Total # of Units Per Acre
W/O - CO-MU	Warehouse/storage	1	9.41	0	0

Name of Neighborhood Plan: N/A



## ZONING

### RELATED CASES

NEIGHBORHOOD PLAN AMENDMENT (YES / NO)	FILE NUMBER: _____
ACTIVE ZONING CASE (YES / NO)	FILE NUMBER: _____
RESTRICTIVE COVENANT (YES / NO)	FILE NUMBER: _____
SUBDIVISION (YES / NO)	FILE NUMBER: _____
SITE PLAN (YES / NO)	FILE NUMBER: _____

### PROPERTY DESCRIPTION

(For the portion affected by this application) Provide either subdivision reference OR metes & bounds description.

1. **SUBDIVISION REFERENCE:** Name: Lot 2, Block A, Repalt of Valex Estates Subdivision Block(s) \_\_\_\_\_
2. **METES AND BOUNDS** (Attach two copies of certified field notes) **FILE NUMBER:** \_\_\_\_\_

### DEED REFERENCE OF DEED CONVEYING PROPERTY TO THE PRESENT OWNER:

VOLUME: \_\_\_\_\_ PAGE: \_\_\_\_\_ OR DOCUMENT # 2020066622  
SQ. FT: \_\_\_\_\_ or ACRES 9.41

Is this a SMART Housing Project? Yes ☐ No ☒

If residential, is there other Tax Credits or Local/State/Federal funding? Yes ☐ No ☒

### OTHER PROVISIONS

IS A VARIANCE TO THE SIGN ORDINANCE BEING REQUESTED? Yes ☐ No ☒

IS PROPERTY IN A COMBINING DISTRICT / OVERLAY ZONE? Yes ☐ No ☒

TYPE OF COMBINING DIST/OVERLAY ZONE (NP, NCC, CVC, WO, etc) \_\_\_\_\_

NATIONAL REGISTER DISTRICT? Yes ☐ No ☒

URBAN RENEWAL ZONE? Yes ☐ No ☒

IS A TIA REQUIRED? Yes ☐ No ☒ TRIPS PER DAY: <2,000

GRID NUMBER (S) P33

WATERSHED: Harris Branch WS CLASS: Suburban

WATER UTILITY PROVIDER: AWU

WASTEWATER UTILITY PROVIDER: AWU

ELECTRIC UTILITY PROVIDER: AE

SCHOOL DISTRICT: Pflugerville ISD

### OWNERSHIP INFORMATION

TYPE OF OWNERSHIP ☒ SOLE ☐ COMMUNITY PROPERTY ☐ PARTNERSHIP ☐ CORPORATION ☐ TRUST  
If ownership is other than sole or community property, list the individuals, partners, principals, etc. below or attach a separate sheet.

## ZONING

### OWNER INFORMATION

SIGNATURE: \_\_\_\_\_

NAME: Jeffery Spector

FIRM NAME: \_\_\_\_\_

Big Wood Floors, Inc.

TELEPHONE NUMBER: 254-731-5600

STREET ADDRESS: 9430 Circle Drive

CITY/STATE/ZIP: Austin/TX/78736

### AGENT / PRINCIPAL CONTACT (If applicable)

SIGNATURE: \_\_\_\_\_

NAME: Jim Wittliff

FIRM NAME: Land Answers, Inc.

TELEPHONE NUMBER: 512-416-6611

STREET ADDRESS: 3606 Winfield Cove

CITY/STATE/ZIP Austin/Tx/78704

CONTACT PERSON: Jim Wittliff/Jacob McLaughlin

TELEPHONE NUMBER: 512-653-3941



# ZONING

## CITY OF AUSTIN TRAFFIC IMPACT ANALYSIS (TIA) DETERMINATION WORKSHEET

APPLICANT MUST FILL IN WORKSHEET PRIOR TO SUBMITTING FOR TIA DETERMINATION

PROJECT NAME: This Old Wood Rezoning

LOCATION: 13313 Old Greg Lane, Austin Txas 78660

APPLICANT: Jim Wittliff/Land Answers, Inc.

TELEPHONE NO: 5124166611

APPLICATION STATUS: DEVELOPMENT ASSESSMENT ZONING: M SITE PLAN:    

### EXISTING:

### FOR OFFICE USE ONLY

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
1	9.41	0	RR	vacant			0

### PROPOSED

### FOR OFFICE USE ONLY

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY
1	9.41	8,000	W/LO- CO-MU	Warehouse	150	FCE	58

### ABUTTING ROADWAYS

### FOR OFFICE USE ONLY

STREET NAME	PROPOSED ACCESS?	PAVEMENT WIDTH	CLASSIFICATION
Old Gregg Lane	no		
Howard Lane	yes		

### FOR OFFICE USE ONLY

A traffic impact analysis is required. The consultant preparing the study must meet with a transportation planner to discuss the scope and requirements of the study before beginning the study.

A traffic impact analysis is NOT required. The traffic generated by the proposal does not exceed the thresholds established in the Land Development Code.

The traffic impact analysis has been waived for the following reason: The TIA determination is deferred to site plan application, when land use and intensity is finalized.

A neighborhood traffic analysis will be performed by the City for this project. The applicant may have to collect existing traffic counts. See a transportation planner for information.

REVIEWED BY: Chintali DATE: 05/18/2020

DISTRIBUTION:     FILE     CAP. METRO     TXDOT     TRANS. REV.     TRAVIS CO.     TRANS DEPT.

TOTAL COPIES:    

NOTE: A TIA determination must be made prior to submittal of any zoning or site plan application, therefore, this completed and reviewed form MUST ACCOMPANY any subsequent application for the IDENTICAL project. CHANGES to the proposed project will REQUIRE a new TIA determination to be made.

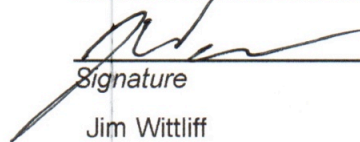


# ZONING

## SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the review of this application.


PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND  
INDICATE FIRM REPRESENTED, IF APPLICABLE.

  
\_\_\_\_\_  
Signature  
Date 4/20/20  
Jim Wittliff  
\_\_\_\_\_  
Name (Typed or Printed)  
Land Answers, Inc.  
\_\_\_\_\_  
Firm

## INSPECTION AUTHORIZATION

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND  
INDICATE FIRM REPRESENTED, IF APPLICABLE.

  
\_\_\_\_\_  
Signature  
Date 4/20/20  
Jim Wittliff  
\_\_\_\_\_  
Name (Typed or Printed)  
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Firm



## ZONING

# ACKNOWLEDGMENT FORM

concerning  
Subdivision Plat Notes, Deed Restrictions  
Restrictive Covenants

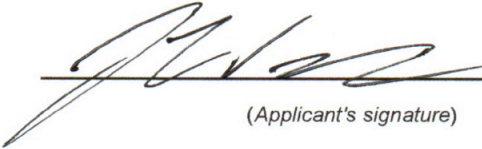
I, Jim Wittliff/Land Answers, Inc. have checked the subdivision plat notes,  
(Print name of applicant)  
deed restrictions, and/or restrictive covenants prohibiting certain uses and/or requiring certain  
development restrictions i.e. height, access, screening etc. on this property, located at:

13313 Old Gregg Lane, Austin Texas 78660

(Address or Legal Description)

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat notes, deed restrictions, and/or restrictive covenants, it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of a subdivision plat notes, deed restrictions, and/or restrictive covenants.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed restrictions, and/or restrictive covenants as information which may apply to this property.

  
(Applicant's signature)

4/20/20

(Date)

### POSTPONEMENT POLICY ON ZONING HEARINGS

- ☐ Sets a postponement date and time at the City Council hearing so that renotification of residents and property owners is not necessary.
- ☐ Limits the time a hearing can be postponed to two months for both proponents and opponents, unless otherwise approved by Council so that renotification of residents and property owners is not necessary.
- ☐ Allows only one postponement for either side, unless otherwise approved by Council.
- ☐ Requires that all requests for postponements be submitted in writing to the director of the Planning and Zoning Department at least one week prior to the scheduled Council meeting. The written request must specify reasons for the postponement.
- ☐ The Director of the Planning and Zoning Department shall provide a recommendation regarding the validity of the postponement request as the Director deems appropriate.
- ☐ Eliminates the automatic granting of a postponement of the first request.
- ☐ Authorizes Council to consider requests that are not submitted timely.

## MEMORANDUM

Re: Rezoning Request  
13313 Old Gregg Lane

Dear City Zoning Review Staff,

This application is to rezone a 9.41-acre platted lot from RR to W/LO-CO. Although the vast majority of this property is in the 100-year floodplain of Harris Branch Creek, there are small areas outside the floodplain along Howard Lane. The property owner would like to construct a small 6,000-8,000 square foot warehouse for his wood recycling business, which reclaims lumber from demolished structures. He also wants to build one residence on the property as an Accessory Use, as is allows in the Code. He has spoken with his neighbors and currently has several letters of support for this rezoning. Via a Conditional Overly, we are willing to prohibit all W/LO uses, except for Office, Warehouse and General Retail Sales. Please call me if you have any questions regarding our rezoning request.

Thank you,

Jim Wittliff

## **§ 4.2. - MIXED USE ZONING DISTRICTS.**

### **4.2.1. Mixed Use Combining District**

A. Purpose. The purpose of a mixed use (MU) combining district is to allow office, retail, commercial, and residential uses to be combined in a single development.

B. Base Districts. A mixed use (MU) combining district may be combined with the following base districts:

1. Neighborhood office, if the use of an MU combining district will further the purpose of the neighborhood office base district;
2. Limited office;
3. General office;
4. Neighborhood commercial;
5. Community commercial;
6. General commercial services; and
7. Commercial liquor sales.

C. Uses Allowed. In the MU combining district, the following uses are permitted:

1. Vertical mixed use buildings, subject to compliance with Section 4.3. of this Subchapter;
2. Commercial uses that are permitted in the base district;
3. Civic uses that are permitted in the base district;
4. Townhouse residential;
5. Multifamily residential;
6. Single-family residential;
7. Single-family attached residential;
8. Small lot single-family residential;
9. Two-family residential;
10. Condominium residential;
11. Duplex residential;
12. Group residential;
13. Group home, class I (limited);
14. Group home, class I (general); and
15. Group home, class II; and
16. Short-term rental.