

ORDINANCE NO.

**AN ORDINANCE WAIVING REQUIREMENTS OF CITY CODE TITLE 25 AND
ADOPTING SITE-SPECIFIC AMENDMENTS TO SECTION 25-8-514 FOR A
PROJECT LOCATED AT 7701 BEE CAVES ROAD.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The city council makes the following findings:

1. This ordinance adopts and implements provisions of a Mediated Settlement Agreement (“Agreement”), dated _____, in the case of *BCAC Acquisition, LLC v. City of Austin*, Travis County District Court Case No. D-1-GN-12-003061 (98th Judicial District). The case concerns the project generally known as One World Theater, located at 7701 Bee Caves Road, and relates to issues of vested rights and compliance with state law governing the regulation of land development.
2. The ordinance waives and modifies site development regulations to the minimum extent necessary to implement the Agreement.
3. The Agreement legitimizes existing structures and improvements on the site, with limited allowance for construction of related appurtenances and facilities. The Agreement provides for greater water quality controls and less impervious cover than earlier regulations for which vested rights are asserted.

PART 2. The city council waives the requirements of City Code Title 25 (*Land Development*) to the extent of a conflict with the terms and conditions of the Agreement, which is adopted herein by reference, and amends Section 25-8-514 (*Pollution Control Required*) to the limited extent necessary to implement the terms and conditions of the Agreement.

PART 3. This ordinance takes effect on _____, 2013.

PASSED AND APPROVED

_____, 2013 § _____
 § _____
 § _____
 Lee Leffingwell
 Mayor

APPROVED: _____
 Karen M. Kennard
 City Attorney

ATTEST: _____
 Jannette S. Goodall
 City Clerk