

**ORDINANCE NO.**

**AN ORDINANCE WAIVING REQUIRMENTS OF CITY CODE CHAPTER 25-8 AND ADOPTING SITE-SPECIFIC REQUIREMENTS FOR A PROJECT LOCATED AT 9710-9718 ANDERSON MILL 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 Settlement Agreement (“Agreement”), dated \_\_\_\_\_, in the case of *ZFB, Ltd. v. City of Austin*, Williamson County District Court Case No. 12-0336-C26, (26<sup>th</sup> Judicial District). The case concerns development of a property at 9710 – 9718 Anderson Mill Road and relates to issues of vested rights under Chapter 245 of the Local Government Code.
2. The Agreement authorizes development of a primarily residential project, at a lower intensity and with significantly greater environmental restrictions than would apply if the site developed to the full extent of the entitlements alleged in the lawsuit.

**PART 2.** The city council waives the requirements of City Code Chapter 25-8 (*Environment*) to the extent of a conflict with the terms and conditions of the Agreement, which is adopted herein by reference.

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2013.

**PASSED AND APPROVED**

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_____	§	
_____, 2013	§	_____

Lee Leffingwell  
Mayor

**APPROVED:** \_\_\_\_\_  
Karen M. Kennard  
City Attorney

**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk