

**AGENDA**



**Recommendation for Council Action**

Austin City Council	<b>Item ID</b>	61164	<b>Agenda Number</b>	33.
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<b>Meeting Date:</b>	9/1/2016	<b>Department:</b>	Development Services
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**Subject**

Set a public hearing to consider an ordinance approving a Project Consent Agreement waiving provisions of City Code Title 25 to incentivize a significant reduction in development intensity and partial preservation of a 41.04 acre tract of land at 2636 Bliss Spillar Road located within the Barton Springs Zone and allow construction of a commercial development of a 12.08 acre tract of land located at 12501 Hewitt Lane in the City's Desired Development Zone. (Suggested date and time September 1, 2016, at 4:00 p.m., Austin City Hall, Council Chambers, 301 West Second Street, Austin, TX.)

**Amount and Source of Funding**

**Fiscal Note**

<b>Purchasing Language:</b>	
<b>Prior Council Action:</b>	
<b>For More Information:</b>	Andrew Linseisen, Development Services Department, (512) 974-2239; Chuck Lesniak, Watershed Protection Department, (512) 974-2699
<b>Council Committee, Boards and Commission Action:</b>	July 20, 2016 – Approved by the Environmental Commission on a 7-1-1-1 vote with Commissioner Pearles voting against, Commissioner Smith recused, Commissioner Moya absent, and 1 vacancy. September 6, 2016 – To be reviewed by the Zoning and Platting Commission.
<b>MBE / WBE:</b>	
<b>Related Items:</b>	

**Additional Backup Information**

Under City Code, a Project Consent Agreement (“PCA”) is a vehicle by which the City Council may grant administrative relief from applicable development regulations for projects that implicate the state “grandfathering” law codified in Chapter 245 of the Texas Local Government Code.

One of the grounds for approving a PCA is to incentivize development of projects that are environmentally superior to what a landowner would be entitled to build based on Chapter 245 rights established for the project. In this case, the Director is recommending approval of a PCA that would authorize construction of a commercial project that is superior from an environmental standpoint to the residential project for which they have established grandfathering rights. The PCA would also include an offsite mitigation component that will provide a significant reduction in development intensity and partial preservation of a separate, commonly owned parcel located in the Barton Springs Zone.

In summary, the proposed agreement would relax the watershed development standards required under City Code Chapter 25-8 (Environment) to facilitate development of a commercial use on a 12-acre tract at 12501 Hewitt Lane, conditioned on a significant reduction in development intensity and partial preservation of a 41-acre tract at 2636 Bliss

Spillar Road that is located in the Barton Springs Zone and subject to protections of Chapter 25-8, Article 13 (Save Our Springs Initiative).

The Marbridge applicant is proposing a PCA that would allow additional commercial development on a property in the Desired Development Zone – the “Brodie Lane Property” – in exchange for reduced development potential on a property over the Barton Springs portion of the Edwards Aquifer Recharge Zone – the “Exchange Tract.”