

AGENDA



Recommendation for Council Action

Austin City Council	Item ID	64184	Agenda Number	78.
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Meeting Date:	11/3/2016	Department:	Development Services
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Subject

Conduct a public hearing and consider 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.

Amount and Source of Funding

Fiscal Note

Purchasing Language:	
Prior Council Action:	
For More Information:	Andrew Linseisen, Development Services Department, 512-974-2239; Chuck Lesniak, Watershed Protection Department, 512-974-2699
Council Committee, Boards and Commission Action:	July 20, 2016 – Approved by the Environmental Commission on a 7-1-1-1 vote with Commissioner Pearles voting against, Commissioner Smith recused and Commissioner Moya absent and 1 vacancy. September 20, 2016 – Recommended by the Zoning and Platting Commission with conditions, on a vote of 8-2 with Commissioners Greenberg and Kiolbassa voting no, and Commissioner Denkler absent. Conditions included a property restriction to the land use of food sales and related uses, and a prohibition of fuel pumps in the floodplain.
MBE / WBE:	
Related Items:	

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 would permanently protect 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 the 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).