

ORDINANCE NO.

5^{le}
5-17-07

1 AN ORDINANCE AMENDING SECTION 25-8-514 (A) OF THE CITY CODE,
2 WAIVING SECTION 25-8-213 (D), AND GRANTING VARIANCES TO
3 SECTIONS 25-8-65, 25-8-301, 25-9-341, 25-8-342, AND 25-8-454 TO ALLOW
4 CONSTRUCTION OF A BRANCH LIBRARY AT THE INTERSECTION OF
5 BEE CAVES ROAD AND CUERNAVACA DRIVE BY THE WESTBANK
6 COMMUNITY LIBRARY DISTRICT.

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8 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
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10 **PART 1.** This ordinance grants specific variances, waivers, and city code ordinance
11 amendments necessary to allow construction of a library facility and associated parking
12 located at the intersection of Bee Caves Road and Cuernavaca Drive. The variances,
13 waiver, and amendments granted in this ordinance are limited to the construction of a
14 library and associated parking by the Westbank Community Library District and do not
15 run with the land.

16 **PART 2.** Section 25-8-514 (A) (*Pollution Prevention Required*) of the City Code is
17 amended to allow impervious cover to exceed 20% in the Barton Creek contributing zone
18 and to allow water quality controls designed and constructed under Section 25-8-213 (A),
19 (B), and (C) (*Water Quality Control Standards*) of the City Code.

20 **PART 3.** A waiver is granted from Section 25-8-213 (D), so that water quality controls
21 on the site are not required to meet Barton Springs Zone requirements.

22 **PART 4.** A variance is granted from Section 25-8-65 (*Roadways*) so that consideration
23 of boundary street impervious cover is not required.

24 **PART 5.** Variances are granted from Sections 25-8-301 (*Construction of a Roadway or*
25 *Drive*), 25-8-341 (*Cut Requirements*), and 25-8-342 (*Fill Requirements*) for the
26 construction of a private access drive, detention facilities, and water quality facilities.

27 **PART 6.** A variance is granted from Section 25-8-454 (*Uplands Zone*) to allow
28 impervious cover in excess of 20% in a Water Supply Rural Watershed (Lake Austin).

29 **PART 7.** The amendments, waivers, and variances granted in this ordinance are
30 effective only upon the satisfaction of the following conditions:

- (1) The applicant shall comply with all City Code requirements not specifically amended, waived, or varied under this ordinance,
- (2) The applicant will design the library and parking will to divert storm-water runoff from all impervious cover to the Lake Austin watershed,
- (3) The applicant will evaluate the use of rainwater harvesting, use of pervious paving for pedestrian surfaces, and removal of Old Bee Caves Road impervious areas and incorporate such enhancements where feasible,
- (4) The applicant will file with the City, as part of its site plan application, an Integrated Pest Management plan (IPM) and will implement and comply with the approved IPM,
- (5) The applicant will design the landscaping for the library and parking to use native or adapted plants recommended by the City's Grow Green program with an emphasis on native materials,
- (6) Impervious cover in the Barton Creek Contributing Zone shall not exceed 45,000 square feet,
- (7) Impervious cover in the Lake Austin Watershed shall not exceed 40,000 square feet,
- (8) The library will include in the reference materials available to its patrons items provided by the City regarding environmentally sensitive landscaping, and
- (9) The library will provide at no cost to its patrons educational materials provided by the City regarding environmental protection

1 **PART 8.** This ordinance takes effect on _____, 2007

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3 **PASSED AND APPROVED**

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7 _____, 2007

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Will Wynn
Mayor

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12 **APPROVED:** _____
13 David Allan Smith
14 City Attorney
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ATTEST: _____
Shirley A. Gentry
City Clerk