

RESOLUTION NO.

WHEREAS, the City of Austin is committed to complete streets, with an active and well managed public realm, that balances the public right of way with the interests of the adjacent private property owners; and

WHEREAS, the City Code establishes a process to allow the private use of public property through a license agreement with the City of Austin; and

WHEREAS, the Code does not address duration of time for the application process after initial commencement, which has resulted in delays of site plan approvals, nor address a system for resolving inter-department inconsistencies or concerns; and

WHEREAS, as a more predictable and transparent approval process would improve the development review of the City of Austin and reduce cost of time and fees to applicants; **NOW, THEREFORE,**

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

The City Manager is requested to:

1. Propose the following amendments to the Code or administrative rules:
 - a. A specific timeline for the review and approval of license agreements that provide greater predictability similar to the site plan approval process and sequences the need for a license agreement to be established prior to the approval of a site plan and that requires the installation of improvements prior to the issuance of a certificate of occupancy;

- b. Deadlines for other City Departments and franchise holders to review and comment on applications and resolve inconsistencies among license plan agreements; and
 - c. Updates to city design standards and public works documents where necessary to reflect commercial design standards and other council approved design standards.
- 2. Evaluate the potential for alternative designs to allow for flexibility in future license agreements.
- 3. Review the fee structure for license agreements and the necessary fiscal security to be posted by the applicant and make any recommendations to council on the amount required at the time of an application.
- 4. Create an online portal for License Agreement applications in AMANDA.
- 5. Investigate and make a recommendation to Council on the potential use of a master license agreement with an entity like the Downtown Austin Alliance or other Public Improvement Districts for the long term management of the right of way on streets such as Congress Avenue, East 6th Street, and 2nd Street to improve landscaping and other improvements.

ADOPTED: _____, 2010

ATTEST: _____

Shirley A. Gentry
City Clerk