

ORDINANCE NO.

AN ORDINANCE APPROVING THE NEGOTIATION AND EXECUTION OF A  
MANAGED GROWTH AGREEMENT FOR DEVELOPMENT OF THE EAST  
AVENUE PARCEL 3 SITE PLAN.

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

**PART 1.** The Council finds that the East Avenue Parcel 3 site plan described in SP-2008-0071C(XT2).MGA is a large, long-term project under Section 25-1-540 (*Managed Growth Agreements*).

**PART 2.** The Council authorizes the City Manager to negotiate and execute a Managed Growth Agreement ("MGA") between the City of Austin and Up-32<sup>nd</sup> Street, L.L.C., in substantially the same form as the agreement attached and incorporated into this ordinance as Exhibit A. The MGA is limited to the East Avenue Parcel 3 site plan as approved in SP-2008-0071C(XT2).MGA, subject to any minor revisions approved in accordance with the MGA. To the extent the MGA conflicts with the City Code, the MGA shall be controlling.

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2012.

**PASSED AND APPROVED**

\_\_\_\_\_, 2012      § \_\_\_\_\_  
                                                 § \_\_\_\_\_  
                                                 § \_\_\_\_\_  
                                                 Lee Leffingwell  
                                                 Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
                                 Karen M. Kennard                                   Shirley A. Gentry  
                                 City Attorney                                   City Clerk