

ORDINANCE NO.

AN ORDINANCE WAIVING CITY CODE CHAPTER 25-8 AND ADOPTING
SITE-SPECIFIC DEVELOPMENT REGULATIONS FOR A PROJECT
LOCATED AT 12800 RESEARCH BOULEVARD.

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

PART 1. The city council makes the following findings:

1. This ordinance adopts and implements the Settlement Agreement and Release (Agreement), executed on January 13, 2015, in the case of *Nieman Properties v. City of Austin, et al.*, Williamson County District Court Case No. 14-0204-C277 (277th Judicial District). The case concerns development of an approximately 5.794-acre tract of land at 12800 Research Boulevard, near the intersection of Highway 183 and Spicewood Springs Road. The lawsuit relates to issues of vested rights under Chapter 245 of the Texas Local Government Code.
2. The Agreement authorizes development of a commercial project subject to more restrictive environmental and drainage regulations than would apply if the property were developed to the full extent of vested rights alleged by the plaintiff.

PART 2. The city council waives the requirements of City Code Chapter 25-8 (*Environment*) to the extent of a conflict with the Agreement. Council adopts and incorporates the Agreement by reference as if set forth in full.

PART 3. This ordinance takes effect on _____, 2015.

PASSED AND APPROVED

_____, 2015 § _____
Steve Adler
Mayor

APPROVED: _____
Anne L. Morgan
Interim City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk