

**ORDINANCE NO.**

**AN ORDINANCE APPROVING A MANAGED GROWTH AGREEMENT FOR  
DEVELOPMENT OF THE AVIARA SINGLE AND MULTI-FAMILY PROJECT**

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

**PART 1.** The Council finds that the Aviara Single and Multi-Family Project described in SP-2010-0090C.MGA, is a large, long term project under City Code Section 25-1-540 (*Managed Growth Agreements*).

**PART 2.** The Council approves the managed growth agreement ("MGA") covering the Aviara Single and Multi-Family Project between the City of Austin and CR-B Aviara, LP, attached and incorporated into this ordinance as Exhibit A. To the extent the MGA conflicts with the City Code, the MGA shall be controlling.

**PART 3.** The City Manager or his designee may execute the agreement for the City.

**PART 4.** The Council waives board or commission review, if any, required for the MGA.

**PART 5.** This ordinance takes effect on \_\_\_\_\_, 2010.

**PASSED AND APPROVED**

\_\_\_\_\_, 2010      § \_\_\_\_\_  
   § \_\_\_\_\_  
   § \_\_\_\_\_  
   Lee Leffingweill  
   Mayor

**APPROVED:** \_\_\_\_\_  
                                 David Allan Smith  
                                 City Attorney

**ATTEST:** \_\_\_\_\_  
                                 Shirley A. Gentry  
                                 City Clerk