

AGENDA



Thursday, May 17, 2007

**Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION****Item No. 57**

Subject: Conduct a public hearing to amend Section 25-8-514(A) of the City Code, grant a waiver of Section 25-8-213(D) of the City Code, and grant a variance to Section 25-8-483 of the City Code to allow construction of the Zion Rest Baptist Church facility and parking at 3341 Paisano Trail. This action requires a site-specific amendment of the Save Our Springs Initiative and concerns property in the Barton Springs Zone.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Patrick Murphy, 974-2821; Julia Lee, 974-3357

Boards and Commission Action: Recommended by the Planning Commission and the Environmental Board, with conditions.

Prior Council Action: Council passed Resolution No. 20070412-016 directing the City Manager to initiate code amendments and/or development agreements to appropriately address proposed development for Zion Rest Baptist Church.

The proposed amendments will provide for construction of a church and associated parking on a 7.5 acre site located at 3341 Paisano Trail. The site is located in the Williamson Creek watershed within the Barton Springs Recharge Zone. The site is constrained by regulations concerning impervious cover limits, setbacks and floodplain. The site is located within the City limits.

The church is associated with the Kincheonville freedman settlement that was established in this area in the mid 1800s. The Zion Rest Baptist Church desires to expand their worship facilities in their historic location rather than relocating. The existing church site does not provide any room for further expansion.

The church purchased the proposed development site in 1990. A development assessment for a conceptual development plan was submitted to the City in March 2006. The comments received from the development assessment identified several significant development constraints including: the fully developed 100-year floodplain; critical water quality zone and water quality transition zone setbacks; impervious cover limits; water quality controls; and, flood controls. As a result, the impervious cover that can be constructed on the 7.5 acre site was determined to be approximately 12,000 square feet.

The church proposes to develop approximately 132,000 sq. ft. of impervious cover on the tract that includes a 35,000 sq. ft. worship facility and parking. A portion of the proposed building, some limited paving and structural stormwater controls are proposed to be located in the Water Quality Transition Zone, resulting in 13,740 sq. ft. of impervious cover in this area of the site.

There is no additional land available for purchase by the church. The City has acquired the Stevenson Tract to the east and the Lundelius and McDaniel tracts to the west for water quality mitigation. The property to the north of the existing church is a private residence and the property to the south is a developed single-family subdivision.

The proposed ordinance will allow construction of the Zion Rest Baptist Church and parking at 3341 Paisano Trail by granting:

- (1) a site-specific amendment to the Save Our Springs regulations(SOS), Section 25-8-514 (A) (Pollution Prevention Required), to allow impervious cover in excess of 15% in the recharge zone, and to allow water quality controls designed and constructed under Section 25-8-213(A), (B), and (C) (Water Quality Controls Standards),
- (2) a waiver of Section 25-8-213 (D) (Water Quality Control Standards), and
- (3) a variance from City Code Section 25-8-483 (Water Quality Transition Zone)

Staff recommended the requested amendment, waiver and variance with certain conditions:

- 1) Total impervious cover on the site not to exceed 131,935 square feet, with no more than 13,740 square feet in the water quality transition zone;
- 2) All parking spaces to be located within the uplands area of the site;
- 3) stormwater controls will be designed to current standards required for non-Barton Springs Zone development;
- 4) development will be located outside of the fully developed 100-year floodplain;
- 5) owner agrees to consider additional water quality enhancements, including landscaping, pest management and other conservation measures; and,
- 6) owner agrees to continue exploring with staff any opportunities to further mitigate development impacts through innovative or alternative methods.