

AGENDA



Thursday, August 9, 2007

Item(s) to Set Public Hearing(s)
RECOMMENDATION FOR COUNCIL ACTION**Item No. 41**

Subject: Set a public hearing to consider an appeal by Bill Bunch, representing the Save Our Springs Alliance, of the Zoning and Platting Commission's decision to approve a Conditional Use Site Plan Permit, to allow construction of water quality and drainage improvements on a site greater than one acre in size in P-Public zoning located at 7701 River Place Boulevard, SPC-2007-0290C, Water Treatment Plant #4 (Suggested date and time: August 30, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).

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

For More Information: George Zapalac, 974-2725; Lynda Courtney, 974-2810, Jay Ulary, 974-7113.

Boards and Commission Action: Zoning and Platting Commission approved staff recommendation to allow the construction of ponds for water quality and drainage and associated improvements.

The request is for a Conditional Use Permit (CUP) Site Plan, to allow for construction of ponds for water quality and drainage improvements on a 102 acre limit of construction area on a 240 acre site. Over half of the site (138 acres) has been dedicated as BCP preserve land. The site is currently zoned P, Public, which allows for a development over one acre in size with a conditional use permit. This proposal is the water quality and drainage site work improvements for the Water Treatment Plant # 4 development, which will require another Conditional Use Permit for any actual construction for the plant itself, at a later date. No vertical construction or other modifications to the site are proposed with this conditional use permit.

The project complies with all site plan requirements. Staff recommended approval of the Conditional Use Permit because the site complies with all applicable requirements. The site is proposed to have a large preserved conservation area, and increased environmental protections. This location is in an area of vacant or low density development.

On July 17, 2007, the Zoning and Platting Commission concurred with staff, approving the Conditional Use Site Plan.

Mr. Bunch, representing the Save Our Springs Alliance, is appealing the Zoning and Platting Commission's decision to approve the CUP, on the basis that the proposed use is not compatible with the abutting use and would more adversely affect the adjoining use than would a permitted use. Although the Save Our Springs Alliance designated boundaries do not include the lands on which the Water Treatment Plant # 4 water quality and drainage improvements are proposed, SOS Alliance representatives spoke at the July 17, 2007 ZAP hearing, making SOS Alliance an interested party with the right to file an appeal of the decision. Staff recommends denial of the appeal because the site plan complies with all applicable requirements.