

AGENDA



Thursday, February 28, 2008

**Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION****Item No. 118**

Subject: Conduct a public hearing and consider adopting an ordinance granting a limited adjustment from City Code Chapter 25-8 Subchapter A Article 12 (Save Our Springs Initiative) to the Encino Trace development located at 5707 Southwest Parkway to allow an access drive and utility lines to cross the Critical Water Quality Zone and the Water Quality Transition Zone (This limited adjustment concerns development in the Barton Springs Zone).

Prior Council Action: February 14, 2008, Resolution determining that requirements for limited adjustment were met and setting public hearing.

Koontz-McCombs, LLC, owner of a tract of land located at 5707 Southwest Parkway, requested a limited adjustment from SOS regulations, pursuant to City Code Sections 25-1-251, 25-1-252, and 25-8-518. These provisions set out a two phase process for considering an application for adjustment. Phase one took place on February 14, 2008 when City Council determined that application of SOS regulations to the development would violate federal or state constitutions or laws. This action item constitutes phase two.

The Watershed Protection and Development Review Department has reviewed the application and will present its recommendations to City Council at the public hearing.

After the public hearing the City Council will:

- (1) determine the minimum adjustment required to comply with the conflicting law and provide maximum protection of water quality; and
- (2) grant the adjustment by adopting an ordinance.