

AGENDA



Thursday, May 15, 2008

**Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION****Item No. 35**

Subject: Conduct a public hearing and consider an ordinance granting variances from City Code Sections 25-8-454 (Uplands Zone) and 25-8-452 (Critical Water Quality Zone), and establishing an administrative variance process for limited variances to City Code Sections 25-8-301 (Construction of a Roadway or Driveway), 25-8-302 (Construction of a Building or Parking Area), 25-8-341 (Cut Requirements), and 25-8-342 (Fill Requirements) to allow construction of the Water Treatment Plant Number 4 plant site, pump station site, and raw water intake facility.

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

For More Information: Pat Murphy, 974-2821

Boards and Commission Action: Recommended by the Code and Ordinance Subcommittee of the Planning Commission, the Environmental Board, the Planning Commission and the Zoning and Planning Commission.

In August 2007, Council directed staff to search for a less environmentally fragile site for Water Treatment Plant No. 4 resulting in the identification and purchase of the current site at Bullick Hollow and FM 620 and a delay in plant completion for another year, until 2014.

The Austin Water Utility is proposing a Site Development Ordinance for Water Treatment Plant Number 4 at the new location. The ordinance will apply to the plant site, pump station site, and raw water intake.

The ordinance will grant two variances: one for impervious cover for the plant site; and one to allow the raw water intake in the critical water quality zone. This will enable the Austin Water Utility design team to proceed with certainty that the basic design will be allowed prior to additional significant financial investment. The ordinance also creates an administrative variance process for City Code Sections 25-8-301, 25-8-302, 25-8-341, and 25-8-342, for cut and fill and construction on slopes. The ordinance establishes findings stricter than current code, including consideration of the Environmental Board's variance evaluation table, and restricts development on the Bull Creek site. The ordinance requires the director of Watershed Protection and Development Review Department to notify the Environmental Board of all administrative variances granted and to provide quarterly reports to the Environmental Board and City Council.

Given the nature of the proposed development and the site characteristics, the need for the variances was understood before the purchase of the site.

The ordinance does not grant variances to Hill Country Roadway regulations, exempt site plans from full review by city development review staff, provide grandfathering, or approve site plans.

The ordinance will apply for the duration of the plant construction, including the initial phase and subsequent phases as demand increases.