

AGENDA



Thursday, December 17, 2009

**Planning and Development Review
RECOMMENDATION FOR COUNCIL ACTION**
Item No. 54

Subject: Approve a resolution consenting to the annexation of 33.93 acres into Moore's Crossing Municipal Utility District ("MUD").

Amount and Source of Funding: There are no expenditures incurred by the City of Austin for this action. The landowner or MUD will incur all expenses for service to the tracts.

For More Information: Virginia Collier, 974-2022; Jackie Chuter, 974-2613; Sylvia Arzola, 974-6448.

Boards and Commission Action: Recommended by Planning Commission and Water and Wastewater Commission.

Moore's Crossing Municipal Utility District ("MUD") was created on June 17, 1987, by the Texas Water Commission (now known as the Texas Commission on Environmental Quality). The MUD is unique in the City's service area in that it is located in the City's limited purpose jurisdiction and is provided retail water and wastewater service by the Austin Water Utility. The landowner of two tracts, totaling approximately 33.93 acres, submitted an application requesting the City's consent to the annexation of the tracts into the MUD's boundaries. These tracts are located at the southeast corner of the intersection of FM 973 and Burleson Road and east of the intersection of FM 973 and Linda Vista Drive as indicated on the attached map. These areas are adjacent to the MUD and are currently in the City's extraterritorial jurisdiction. These tracts also are located in the Onion Creek watershed in the City's desired development zone. In addition to annexation into the MUD, the landowner requested annexation of these tracts into the City's limited purpose jurisdiction.

The landowner's proposed future development includes commercial land uses. Retail water and wastewater service would be provided by Austin Water Utility. The MUD's Board supports the landowner's request to include these properties in the MUD.

Requests for annexation into a district are typically evaluated in terms of:

- Impact on the City's annexation program,
- Land Use impacts,
- The City's ability to provide water and/or wastewater service,
- The terms of the City's consent agreement/contract(s) with the district,
- Environmental impacts, and
- Whether the proposed annexation would induce development within the Drinking Water Protection Zone beyond what would occur otherwise

The landowner's request was reviewed by the Austin Water Utility, Watershed Protection, and Planning and Development Review staff. Staff determined that annexation of the tract into the MUD will not affect the City's annexation plans. The City is the retail provider for water and wastewater services for this area. Staff does not anticipate any negative environmental impacts if the MUD annexes these tracts. Annexation of this tract by the MUD is not expected to increase the amount of development on the tract beyond what would occur otherwise.

Staff recommends consenting to the landowner's proposed annexation of 33.93 acres into the MUD.