

MUNICIPAL UTILITY DISTRICT (MUD) REVISION REVIEW SHEET

CASE: C12M-2016-0002 Northtown Municipal Utility District (MUD) Amendment to Consent Agreement

PC DATE: September 27, 2016

PROPOSED CHANGES: The applicant proposes to amend the Consent Agreement to accommodate a driveway cut on Howard Lane specific to a property located at 2800 S Heatherwilde Blvd.

APPLICANT/OWNER: Professional StruCIVIL Engineers, Inc. (Diane Bernal)

AGENT: Asporea Business Inc. (Sameer Umatiya)

LOCATION OF MUD: The Northtown MUD is located in the City of Austin's extraterritorial jurisdiction (ETJ) in northern Travis County north of Howard Lane and east of the intersection of IH 35 North and Howard Lane.

DESIRED DEVELOPMENT ZONE: Yes

WATERSHED: Walnut Creek

ZONING: Designated for retail land use on the MUD Land Plan; no zoning in the ETJ

BACKGROUND: In 1985 the City of Austin consented to the creation of the Northtown Municipal Utility District. The Consent Agreement between the City and the MUD contains provisions regarding development requirements for future development within the MUD. Article XII, Section D of the Agreement states that "All allowable curb cuts on major arterial roadways shall be at least two hundred (200) feet apart."

This amendment would allow for the construction of a driveway as contemplated on a site plan currently in review (SP-2015-0481D) but that does not meet the minimum 200' spacing required along arterial roadways in the Agreement. Based on additional transportation improvements to be funded and built by the developer as part of this project, the City's transportation review staff from ATD and DSD recommended the approval of the proposed driveway as shown on the site plan. In addition, Travis County ESD No. 2, the current fire protection service provider, is also supportive of driveway access to the site from both Heatherwilde Blvd and Howard Lane.

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the amendment to the Consent Agreement.

DEPARTMENT COMMENTS: The application to amend the Consent Agreement and Strategic Partnership Agreement was distributed for review to staff members of the following departments: Austin Energy, Austin Resource Recovery, Austin Water, Development Services, Fire, Law, Neighborhood Housing and Community Development, Planning and Zoning, Public Works, Transportation, and Watershed Protection. Staff reviewers provided the following responses:

This amendment does not appear to raise a drainage and water quality related issue so the water quality and drainage engineering review section of LUR has no objection to the amendment.

We (AW) checked and our infrastructure should not be affected.

The proposed site plan (SP-2015-0481D) shows that a joint access easement has been provided for this site which will allow joint access with the adjacent property to the north along Heatherwilde Blvd. and minimize the driveways along Heatherwilde Blvd. The developer has redesigned the site's corner at the intersection to increase safety and improve operations at this location; all improvements are to be built by and paid for the developer as part of this project. The proposed driveway along Howard Lane is a "right-turn only" which by design will eliminate most conflicting turn movements to/from the site. In addition, Howard Lane was built as a divided roadway with a landscaped center median which further helps to eliminate conflicting turn movements. (ATD/WPD/DSD)

ATTACHMENTS:

Exhibit A – Site Plan Currently in Review (SP-2015-0481D)

CONSENT AGREEMENT AMENDMENT PROCESS: Section 25-9-253 of the City Code requires staff and boards and commissions determined to have an interest in this application to review and make a recommendation on the application no later than the 60th day after the date the application is filed. The City Council will act on the application no later than the second regular Thursday City Council meeting following board and commission recommendations.

URBAN TRANSPORTATION COMMISSION RECOMMENDATION: Recommended September 13, 2016

CITY COUNCIL DATE: October 6, 2016

ACTION:

CASE MANAGER: Virginia Collier
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