



## MEMORANDUM

TO: Chair and Members of the Planning Commission

FROM: Andrei Lubomudrov  
Housing and Planning Department

DATE: June 23, 2022

RE: Proposed annexation of approximately 5.03 acres into Travis County Water Control and Improvement District No. 10 (District) C12M-2022-0001

On April 13, 2022, the City received an application requesting the City's consent to the annexation of approximately 5.03 acres located at 4315 Dunning Lane in Austin's extraterritorial jurisdiction (ETJ) and in the Lake Austin Watershed. The District includes properties in western Travis County and located either in the City of Austin's ETJ or the City of West Lake Hills. The property to be annexed into the District is located in the Lake Austin Watershed. A map identifying the tract to be annexed into the District and its location relative to existing District boundaries and City jurisdictions is attached.

### **Applicant's Proposal**

The applicant seeks annexation into WCID 10 to acquire water service for about half of an existing 10-acre property, or approximately 5.03 acres. The area is currently divided between two lots, one of which is about 10 acres, and another that is smaller than one acre. If annexation approval is granted, the property owner will subdivide the existing 10-acre property and seek to serve the 5.03-acre portion of the replatted lot through WCID 10. The balance of the property will be in Austin Water's service area. As part of the Annexation into a Water District process, case number C12M-2022-0001 will go before Austin's Commissions as well as Austin City Council. Upon City Council approval, the property will then be annexed by the District.

Representatives of the property owners appeared before the District's Board of Directors at its meeting on January 12, 2022, and the District Board approved the annexation request contingent upon receiving the City's approval of the District's annexation of the property.

## **City Review Process**

The Agreement Concerning Creation of the District requires City approval for the annexation of land by the District. The District is considered a “noncity service district” and as such, the City is not authorized to place restrictions or conditions on this consent. If the City fails or refuses to consent within 90 days of receipt of a written request, the owner may petition the City to make available those services to be provided by the District. Failure to execute a mutually agreeable contract for services within 120 days constitutes authorization for inclusion of land within the District.

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

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

## **Recommendation**

Staff recommends consent to the proposed annexation into the District. Annexation into the District will not affect the City of Austin’s annexation plans, and staff does not anticipate any negative land use impacts on adjacent property.

The property requesting City consent to annexation into the District is located partially within the District’s area. Annexing the whole 5.03 acres will enable it to be served by the District. Another parcel proposed for subdivision is in the Austin Water service area. In the review of direct water service for the area, Austin Water has concluded that the annexation will not significantly impact water service and have indicated no concerns with the proposed annexation.

Staff field visits led to an identification of a seep horizon within the limits of annexation. A residential lot may neither include a critical environmental feature nor be located within fifty (50) feet of a critical environmental feature (LDC 25-8-281; LDC 30-5-281). A complaint ERI (ECM 1.3.0) will be required prior to approval of a final plat and/or site plan.

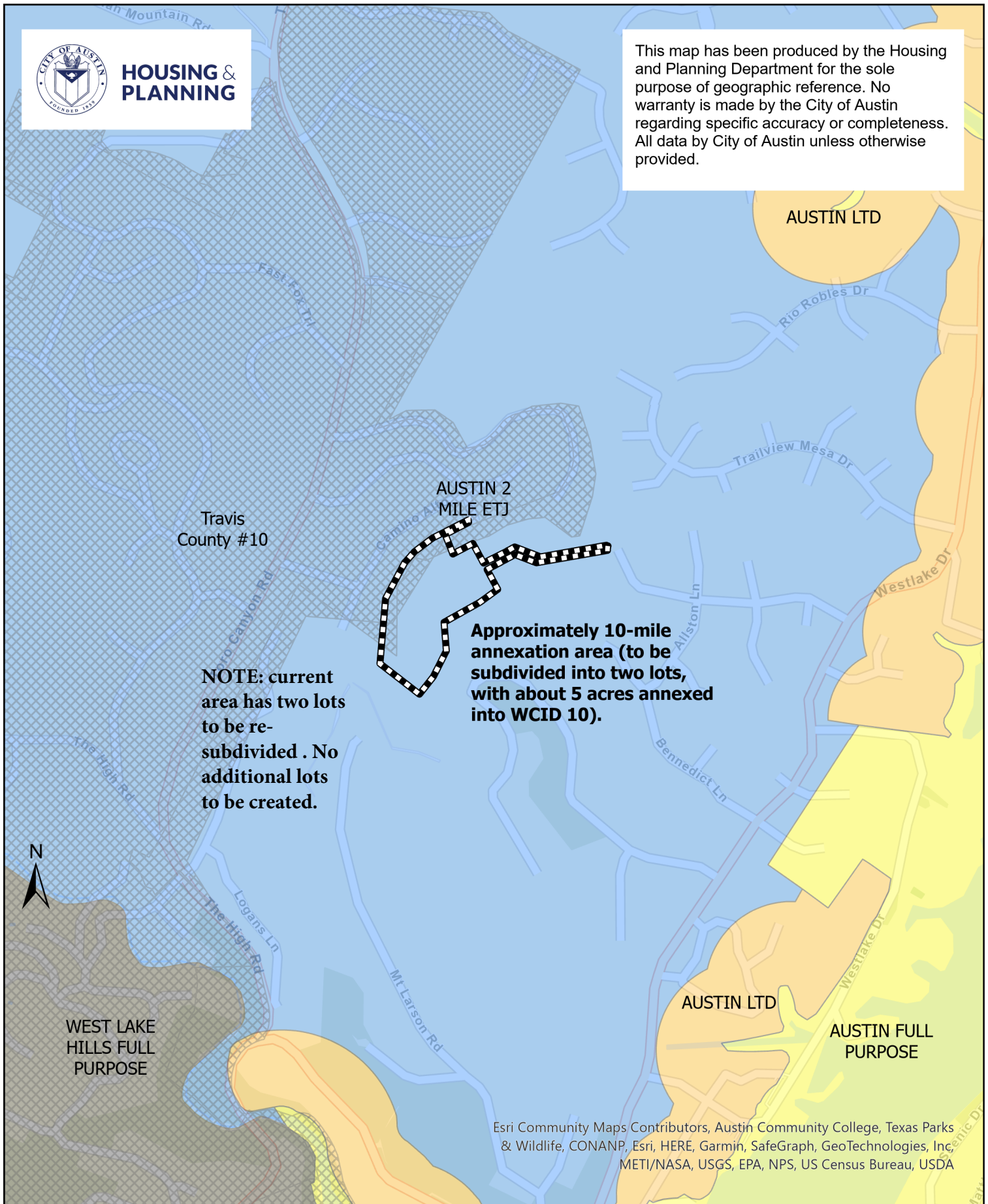
Staff recommends the annexation of 4315 Dunning Ln into the District given that the property will be compliant with applicable environmental protections and regulations at time of platting and development review.

If you have any questions or need any additional information, please contact me at (512) 974-7659.



## HOUSING & PLANNING

This map has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness. All data by City of Austin unless otherwise provided.



# Proposed Annexation of Property into WCID 10

Case: C12M-2022-0001