



**Annexation
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 6
AGENDA DATE: Thu 01/27/2005
PAGE: 1 of 2**

SUBJECT: Adopt a resolution approving the release of approximately 25 acres of extraterritorial jurisdiction (ETJ) located at the end of Indian Tree Trail, from the City of Austin to the Village of San Leanna.

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: N/A

REQUESTING Neighborhood Planning **DIRECTOR'S**
DEPARTMENT: and Zoning **AUTHORIZATION:** Alice Glasco

FOR MORE INFORMATION CONTACT: Ben Luckens, 974-2697; Virginia Collier, 974-2022;
Sylvia Arzola, 974-6448

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

On April 22, 2004 the City received a request from the Village of San Leanna asking that approximately 25 acres be released from the City of Austin's ETJ to its (San Leanna's) jurisdiction. The 25 acres consists of nine lots, four of which are developed with houses. Eight of the lots share a common unpaved driveway/street (Indian Tree Trail). Sole access for all of these large lot home sites is through the Village of San Leanna.

Currently, water service to the property is through a private well. The residents and property owners have requested water service from the Village of San Leanna, which has facilities adjacent to the area. Pending the City's release of the acreage, San Leanna is prepared to extend water and annex the area. The release area is currently within the City's proposed water and wastewater CCNs. City of Austin retail water service, however, is not financially feasible for the owners given the location of the area and its low intensity of use. Following release of the area from the City's ETJ, the City will request the TCEQ to decertify or cause to remove the 25 acres from the City of Austin's water and wastewater CCN service area. Upon release of the ETJ, the Village of San Leanna or the affected property owners will reimburse the Austin Water Utility \$450 as compensation for the Austin Water Utility's administrative investment in the 25 acres.

The property is located in the Slaughter Creek watershed outside of the Barton Springs Zone. A preliminary evaluation of the site indicates that most of the area is uplands although a small portion of the proposed release area may be located in the Critical Water Quality Zone and Water Quality Transition Zone of Slaughter Creek. The impervious cover limit for Single Family/Duplex development in upland portions of Suburban watersheds is 45% (55% with transfers). Water quality controls (equivalent to sand filter systems) are not required in the ETJ until impervious cover exceeds 20% on a net site area basis. Control of the peak runoff rate from the 2-year storm event is required to reduce impacts caused by stream erosion.



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The owners of the land within the proposed release area have executed a restrictive covenant with the following conditions:

1. Water quality controls equivalent to sand filtration must be provided if development exceeds 20% impervious cover on areas of the tract outside the 100-year flood plain of Slaughter Creek.
2. No additional development within the 100-year floodplain of Slaughter Creek.
3. A minimum two acre lot size in the event of redevelopment

RESOLUTION NO.

WHEREAS, the Village of San Leanna, Texas has requested the City of Austin to release from its extraterritorial jurisdiction (“ETJ”) the territory identified on the map attached as Exhibit “A” to this resolution, and the property owner has requested inclusion in the Village of San Leanna’s ETJ; and

WHEREAS, the City of Austin has no objection to the release of this ETJ area to the Village of San Leanna’s ETJ; and

WHEREAS, principles of sound planning and regional cooperation incline the Austin City Council to give due respect and consideration to the development concerns of Austin’s neighbor cities; and

WHEREAS, Section 42.023 of the Texas Local Government Code authorizes the City Council to release territory from the City of Austin’s extraterritorial jurisdiction by resolution; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The territory identified on the map attached as Exhibit “A” to this resolution, a total of approximately 25 acres of land, is hereby released from the City of Austin’s extraterritorial jurisdiction under authority of Section 42.023 of the Texas Local Government Code; provided however, that the area is released only upon the condition that it shall become a part of the Village of San Leanna’s extraterritorial jurisdiction, and shall be subject to the terms of a

Declaration of Restrictive Covenants executed by the owners of the property.

BE IT FURTHER RESOLVED:

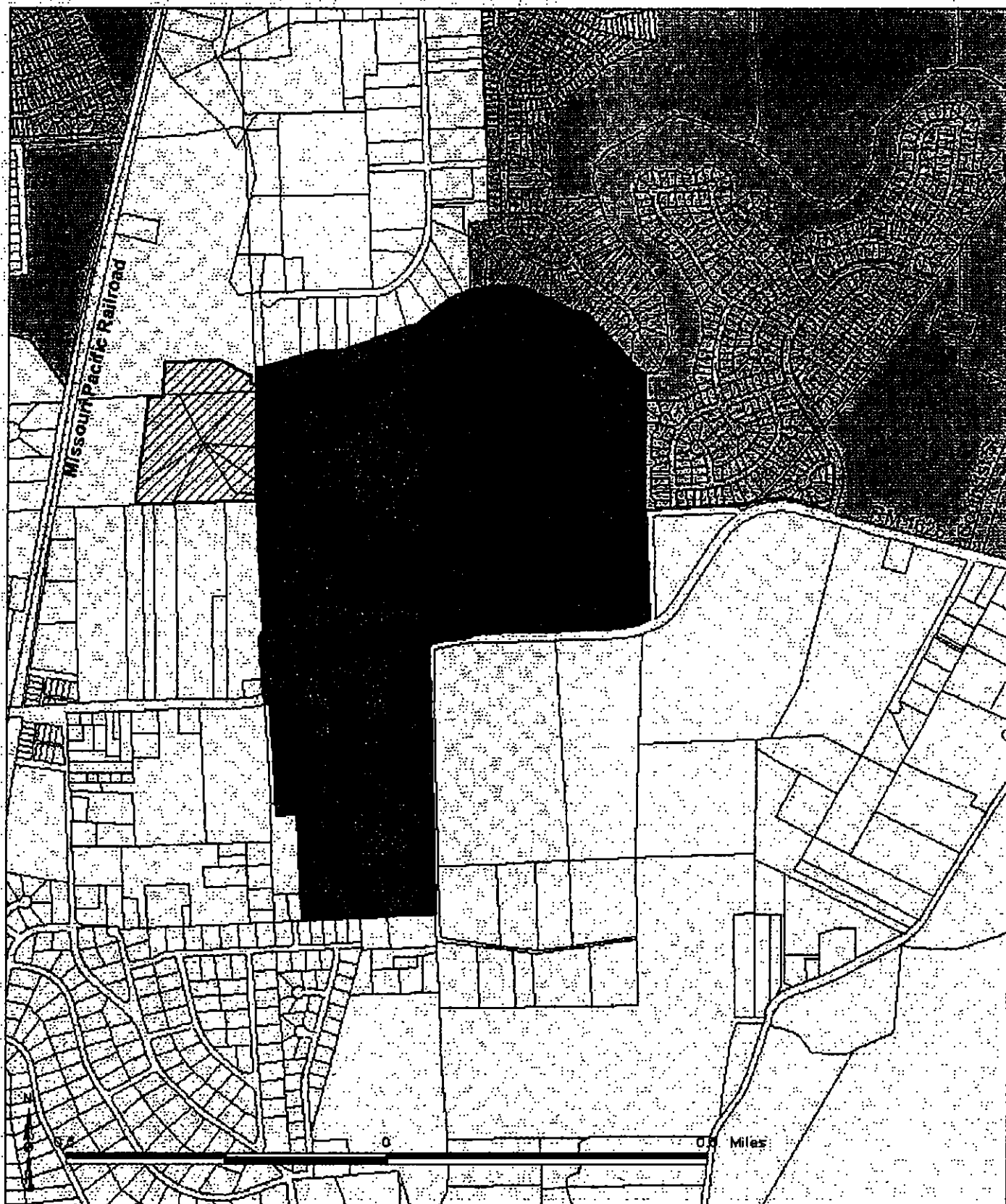
The City Manager or her designee is authorized and directed to revise the City of Austin's map of its extraterritorial jurisdiction to reflect the release of the territory identified on the map attached as Exhibit "A" to this resolution.

BE IT FURTHER RESOLVED:

The City Manager or her designee is authorized and directed to apply to the Texas Commission on Environmental Quality to remove the 25 acre area from Austin's water and wastewater Certificates of Convenience and Necessity service area.





ADOPTED: _____

ATTEST: _____
Shirley A. Brown
City Clerk



ETJ Release to San Leanna ETJ-04-001

City of Austin
Transportation, Planning & Sustainability Dept
April 28, 2004

-  Proposed ETJ Release Area
-  Austin City Limit
-  Austin ETJ
-  San Leanna City Limit