

AGENDA



Thursday, April 29, 2010

**Austin Water Utility
RECOMMENDATION FOR COUNCIL ACTION**
Item No. 7

Subject: Approve an ordinance waiving certain provisions of Section 25-9-39(B) of the City Code relating to the expiration date of approval of Service Extension Request No. 2862 for water service to the development known as Heep Ranch located on the southeast corner of Interstate Highway 35 South and FM 1327.

Amount and Source of Funding: There is no unanticipated fiscal impact.

Fiscal Note: A fiscal note is not required.

For More Information: Seyed Miri, P.E., 972-0202; Denise Avery 972-0104

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

Heep Ranch Properties, Ltd. (the "Owner") is proposing to develop Heep Ranch containing 2,756 proposed single-family residences, 1,510 multi-family units and approximately 5,000,000 square feet of retail/office/warehouse use on approximately 1,321 acres of land on the southeast corner of Interstate Highway 35 South and FM 1327 Road and has submitted Service Extension Request No. 2862 (SER-2862) requesting that the City provide water utility service to the development. The tract is outside the full-purpose city limits, within the Council approved Impact Fee Boundary, within the Desired Development Zone and within the Rinard Creek Watershed. The majority of the tract is currently within the CCN of Creedmoor-Maha Water Supply Corporation and will need to be released prior to the City of Austin providing retail water service.

Under SER-2862, the Owner will be required to construct the following water improvements:

- Approximately 5,900 feet of 24-inch water line from the 42-inch water line to be constructed in the future South IH-35 Water and Wastewater Infrastructure Improvements Program, Segment 9.1 (CIP No. 6937.014) east along FM 1327 Rd, south along N Turnersville Rd and across SH 45.
- An appropriately sized "looped" water system from the proposed 42-inch water line to be constructed in the future South IH-35 Water and Water Infrastructure Improvements Program, Segment 9.0 (CIP No. 6937.013) south across SH 45 and east and south through the subject tract to the proposed 24-inch water line in N Turnersville Rd.

Water service is not available until the South IH-35 Water and Wastewater Infrastructure Improvements Program, Segment 9.0 (CIP No. 6937.013) and Segment 9.1 (CIP No. 6937.014) water improvements are designed and constructed by the City of Austin. The Owner will also dedicate an appropriately sized reservoir site and easements (approximately 5-acres) within the Property (actual location within the Property to be determined by the applicant and the City of Austin) and an appropriately sized water line easement around the northwest property corner at S IH-35 and SH 45 to the proposed reservoir site.

Under City Code Section 25-9-39(B), unless a plat has been recorded for the project or a development application has been approved or is pending, an approved Service Extension Request (SER) expires 120 days after its approval. The Owner is requesting a waiver of the 120-day expiration provision in Section

25-9-39(B) and instead is requesting that expiration be extended to two years from completion of Segment 9.0 (CIP No. 6937.013) and Segment 9.1 (CIP No. 6937.014) of the South IH-35 Water and Wastewater Infrastructure Improvements. This action and proposed ordinance waives the 120-day expiration in Section 25-9-39(B) to provide that unless a plat has been recorded for the project or a development application has been approved or is pending, SER-2862 will not expire until two years after acceptance of the South IH-35 Water and Wastewater Infrastructure Improvements Program, Segment 9.0 (CIP No. 6937.013) and Segment 9.1 (CIP No. 6937.014). Extending the approval expiration acknowledges this particular project's dependence on completion of the South IH-35 Water and Wastewater Infrastructure Improvements Program.

The proposed water improvements will conform to all City of Austin Code requirements. The Owner will construct all required improvements at its cost and after final acceptance of construction will dedicate the facilities to the City for ownership, operation and maintenance. The Owner has submitted a written request to be annexed by the City. All lots will be served by City of Austin water service.