

AGENDA



Thursday, December 9, 2010

**Planning and Development Review
RECOMMENDATION FOR COUNCIL ACTION****Item No. 25**

Subject: Approve an ordinance granting variances to Section 25-9-158 (public hearing deadline) and Section 25-9-159 (Council action deadline) of the City Code relating to petitions submitted for consent to the creation of the Pilot Knob Municipal Utility Districts 1-5 (approximately 2,214 acres of land located east of IH 35 between McKinney Falls Parkway and US 183 South).

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

On October 18, 2010, Carma Easton Inc. petitioned the City for consent to the creation of five city service municipal utility districts (MUDs) - Pilot Knob MUDs 1-5. The MUDs include approximately 2,214 acres of land located in southeastern Travis County. Prior to creation of a MUD in the City's extraterritorial jurisdiction, the property owners must submit a petition requesting the City's consent. The City then has a 90 day statutory period for review, including review by City boards and commissions. Typical issues reviewed include impacts on annexation, land use/transportation, environmental impacts, parks, and water and wastewater service. If the City does not grant consent to the creation of MUDs within 90 days of the petition, the petitioners may request the City to provide water and wastewater service. If a satisfactory contract is not executed within 120 days after the request for service, the petitioners may proceed to Texas Commission on Environmental Quality (TCEQ) for creation of the MUDs, and if the TCEQ determines that the City has not consented to the creation of the MUDs, or entered into a contract for water or sewer service, as requested, the Texas Commission on Environmental Quality (TCEQ) shall allow creation of the MUDs.

In a letter to the City, Carma has agreed to an extension of time beyond the 90 day review period provided in the statute. At this time, there is insufficient information in the petitions to support a recommendation to consent to creation of the MUDs.

This action will allow City staff more time to review and provide comments on the applicant's petitions and to work with the developer to address staff comments before the petitions are presented to the City's Boards and Commissions, and City Council for consideration.