



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

AGENDA ITEM NO.: 10
AGENDA DATE: Thu 01/13/2005
PAGE: 1 of 2

SUBJECT: Approve a resolution authorizing the release of two tracts totaling approximately 48.112 acres of extraterritorial jurisdiction (ETJ) from the City of Austin to the City of Dripping Springs (One of the proposed release tracts is approximately 630 feet west of the intersection of US 290 W and Nutty Brown Road, and the other proposed release tract is at the intersection of Nutty Brown Road and Kit Carson Drive).

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, 974-2695; Virginia Collier, 974-2022; Sylvia Arzola, 974-6448

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

The City of Dripping Springs has requested the release of two tracts totaling approximately 48.112 acres of land from Austin's ETJ. One the tracts is located approximately 630 feet west of the intersection of US 290 W and Nutty Brown Road and the other proposed release tract is at the intersection of Nutty Brown Road and Kit Carson Drive. The tracts are within the Barton Springs contributing zone

The 48.112 acres is part of the 1600 acre MAK Foster Ranch, the balance of which is inside Dripping Springs' ETJ. The MAK Foster Ranch is the subject of a development agreement between the developer and Dripping Springs approved in April 2001.

The staff recommends release in accordance with the request of the City of Dripping Springs and the property owner.

The property owner has signed a restrictive covenant subjecting the property to the following development standards required by the City of Austin environmental staff:

1. Development and Maintenance Standards. The Property shall be developed and/or maintained in accordance with each of the following:
 - (a) Development on the Property, including existing development, new development, and future development or redevelopment, is limited to a total maximum amount of impervious cover which shall not exceed twenty-five percent (25%) of the gross area of the Property. Gross area means the entire area of the Property. Impervious cover shall be calculated in accordance with Section 1.8.0 of the City of Austin Environmental Criteria Manual.
 - (b) *Runoff from all development must be managed through water quality controls and onsite pollution prevention and assimilation techniques so that no increases occur in the respective*



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average annual pollutant loadings of total suspended solids, total phosphorus, total nitrogen, chemical oxygen demand, biochemical oxygen demand, total lead, cadmium, fecal coliform, fecal streptococci, volatile organic compounds, total organic carbon, pesticides, and herbicides from the site. For any project on the Property, impervious cover must be reduced if necessary to assure compliance with these pollutant load restrictions. Water quality controls shall be maintained in accordance with City of Austin Environmental Criteria Manual requirements, by Declarant, his successors and assigns.

RESOLUTION NO.

WHEREAS, the City of Dripping Springs, 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 City of Dripping Spring’s ETJ; and

WHEREAS, the City of Austin has no objection to the release of this ETJ area to the City of Dripping Springs’ 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 48.112 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 City of

Dripping Springs' extraterritorial jurisdiction, and shall be subject to the terms of a Declaration of Restrictive Covenants executed by the owner of the property; and

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.

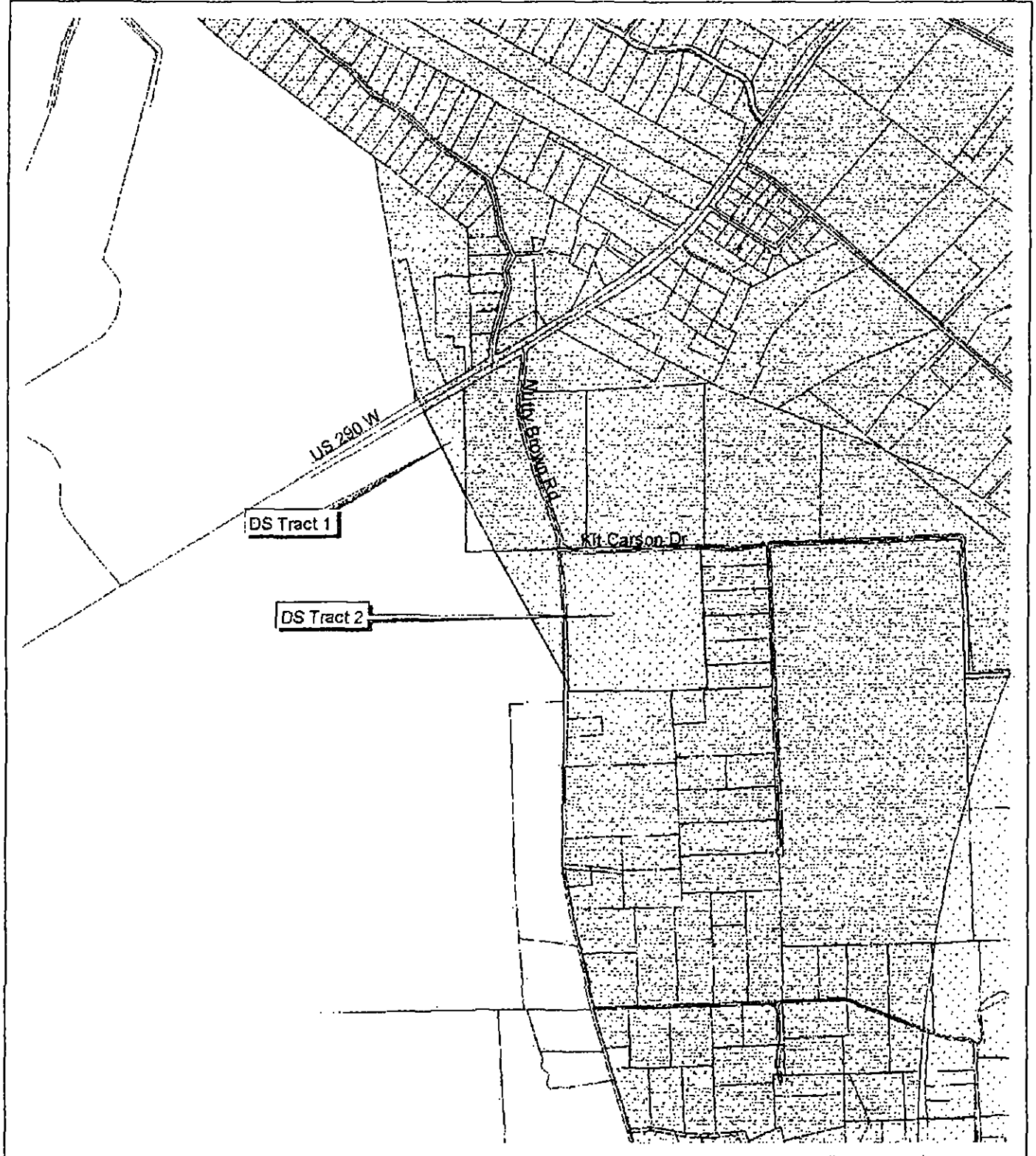
ADOPTED: _____






ATTEST: _____

Shirley A. Brown
City Clerk

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Proposed ETJ Release



-  City of Austin
-  Dripping Springs ETJ
-  DS tract 1
-  DS tract 2
-  BSZ

1000 0 1000 2000 Feet

N
TPSD
8/20/04