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MEMORANDUM

To: Chair and Members of the Planning Commission

From: Virginia Collier
Planning and Development Review Department

Date: November 1, 2011

Subject: Proposed annexation of approximately 393 acres into Lazy Nine MUD 1-A (MUD)

Mr. Rick Wheeler has submitted an application requesting the City's consent to the annexation of approximately 393 acres into Lazy Nine MUD 1-A. This tract is located in Austin's extraterritorial jurisdiction (ETJ) west of the City of Bee Cave and south of State Highway 71 West. This tract is currently undeveloped. The applicant's plans are to build the MUD's permitted effluent holding ponds and wastewater irrigation areas on a portion of this tract. The remaining approximate 141 acres could potentially be developed as commercial, retail, office, institutional or multi-family uses, however, no specific plans have been finalized at this time. This tract is located in both the Lazy Nine MUD 1-A's water and wastewater CCNs. The Lazy Nine MUD 1-A Board has voted to annex the property subject to the approval by the City of Austin.

Requests for annexation into a water district are typically by staff from several city departments and evaluated in terms of:

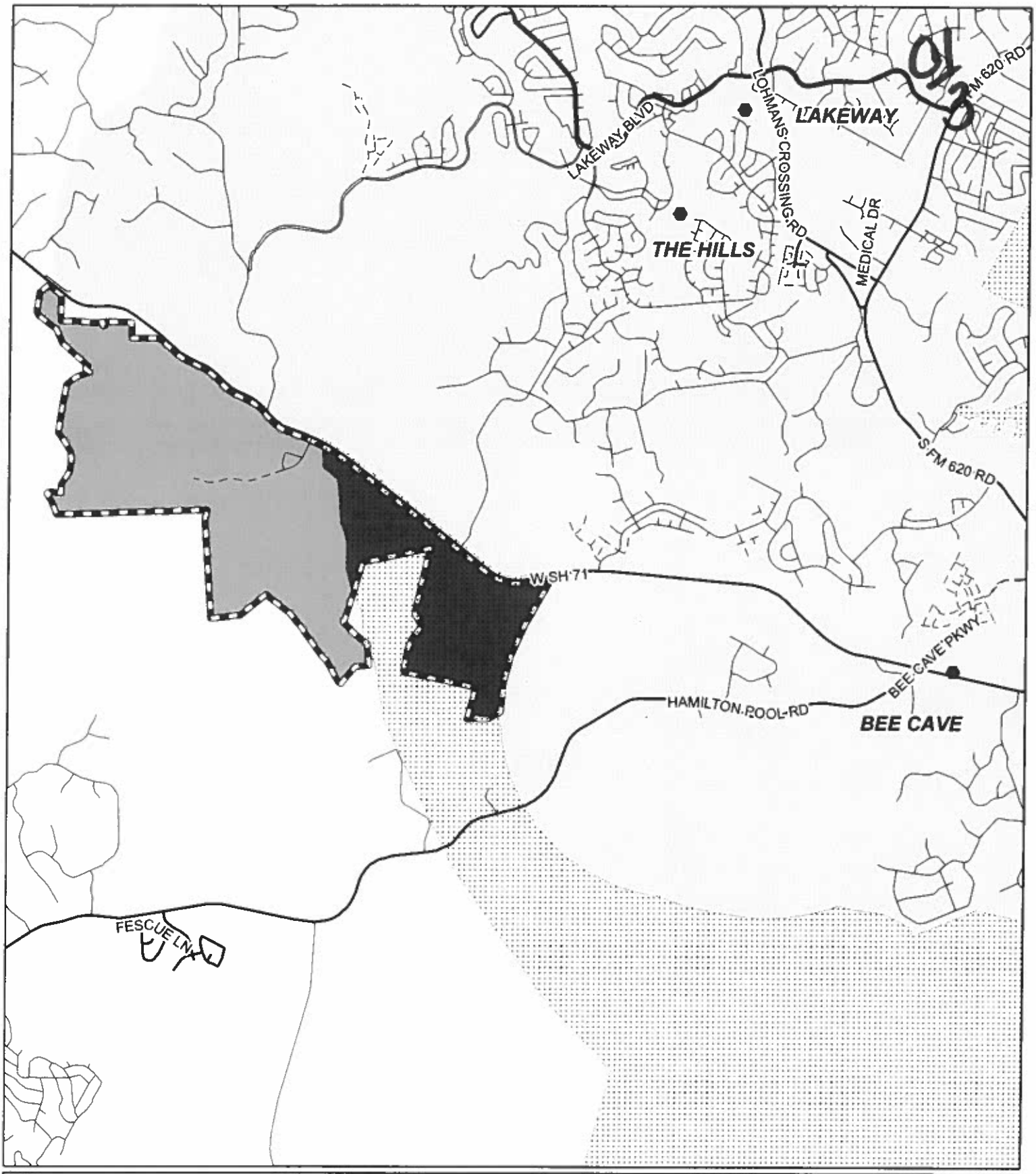
- Impact on the City's annexation program
- Land Use impacts
- The City's ability to provide direct water and/or wastewater service
- The terms of the City's consent agreement/contract(s) with the water district
- Environmental impacts
- Whether the proposed annexation would induce development within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

The Lazy Nine MUD 1-A was created by the State Legislature outside of the City's jurisdiction therefore the City does not have a consent agreement with this MUD. This request does not meet the basic requirements outlined in the City Council adopted MUD Policy for consideration of a MUD in Austin's jurisdiction due to its location. However, staff determined that annexation of the tract into the district will not affect the City of Austin's annexation plans and will not have a significant impact on adjacent property. Austin Water cannot provide service because the tract is

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located in the CCN of the MUD. Further, staff does not anticipate any negative environmental impacts if the MUD annexes the tract. Annexation by the district is not expected to increase the amount of development on the tract beyond what would occur otherwise and future development will be subject to the City's development regulations as this tract will remain in Austin's ETJ.

In conclusion, staff recommends consent to the proposed annexation into Lazy Nine MUD 1-A.



C12M-2011-0011
Annexation into Lazy Nine Municipal Utility District 1-A

City of Austin
PDRD
November 1, 2011

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Lazy Nine MUD 1-A
393 acre Annexation Area
Lazy Nine MUD 1-A CCN Area
Austin ETJ
Other Municipality