



Recommendation for Action

File #: 19-1265, **Agenda Item #:** 11.

2/21/2019

Posting Language

Approve an ordinance adopting the Third Amendment to the First Amended and Restated Agreement Concerning the Creation and Operation of Senna Hills Municipal Utility District revising the Land Plan to: 1) change school and irrigation to office use and 2) update the land use allocation table to reflect the actual built-out conditions. This action concerns land located within the Barton Springs Zone.

Lead Department

Planning and Zoning

Fiscal Note

This item has no fiscal impact.

For More Information:

Virginia Collier, Planning and Zoning Department, (512) 974-2022

Council Committee, Boards and Commission Action:

January 16, 2019 - January 16, 2019 - No recommendation by the Environmental Commission

January 22, 2019 - Motion by Commissioner Schissler, seconded by Commissioner Kenny to recommend MUD Consent Agreement Amendment: C12M-2018-0145 - Senna Hills MUD Consent Agreement Amendment located at 10900 Senna Hills to revise the MUD Land Plan to: 1) change two tracts from school and irrigation to office use and 2) update the land use allocation table to reflect the actual built-out conditions. Motion was approved on a vote of 8-3. Commissioners Anderson, Schneider and Thompson voting nay. Commissioners DeHoyosHart and Seeger absent.

Additional Backup Information:

On November 20, 2018, Senna Hills, Ltd. submitted an application to amend the consent agreement between the City of Austin and the Senna Hills Municipal Utility District (MUD). The MUD includes 323 acres located along the north side of FM Road 2244 in western Travis County, east of the City of Bee Cave and within the Austin extraterritorial jurisdiction (ETJ). The City consented to creation of the MUD in 1987. The MUD is mostly developed with single family residential land use. The MUD land plan designates additional tracts for a school, parkland, conservation, effluent irrigation, and wastewater treatment.

Applicant's Proposal

The applicant is proposing to revise the Land Plan to: 1) change the use designation from school and irrigation to office use on a 11.73 acre tract and 2) update the land use allocation table to reflect the actual built-out conditions, including, but not limited to, a reduction in the ultimate number of single-family units (and overall residential density) and reducing the overall area of irrigation required due to the drop in LUEs (land use equivalents). The applicant has indicated that the acreage allocated for wastewater irrigation on the proposed office site is no longer needed for effluent irrigation due to a reduction in density throughout the project.

The school site is allowed 2 acres (20%) impervious cover and the proposed commercial use would be allowed 4.11 acres (35%) per the Barton Creek Watershed Ordinance. The applicant is proposing to remove the note within the agreement that holds the impervious cover on this lot to 2 acres.

Public Comments

The Senna Hills MUD Board and the Senna Hills Homeowners Association have agreed to approve and support the office development. One resident of the Senna Hills community contacted staff to express opposition to the requested change citing concerns relating to traffic and light pollution.

Recommendation

Staff recommends denial of the request to amend the consent agreement as proposed. The existing Land Plan states that the school lot has 2 acres of usable area based on the slopes under 15%. The remaining acreage is allocated for wastewater irrigation. The Consent Agreement and corresponding Restrictive Covenant specify that

Development shall be prohibited within the Irrigation Lands as shown on the Land Plan; provided, however, said irrigation land may be utilized for recreational purposes and facilities which do not conflict with the use of said land for irrigation purposes. This restriction shall continue to be in effect following the time that irrigation may cease on said areas.

If the impervious cover remains below the 2 acres deemed buildable on the Land Plan, the land use (school vs. office) is inconsequential; however, the restriction prohibiting development within the irrigation land in perpetuity is inconsistent with the proposed amendment.