



Recommendation for Action

File #: 19-1914, **Agenda Item #:** 12.

6/6/2019

Posting Language

Approve a resolution consenting to the annexation of approximately 2.309 acres located at 1111 N. Weston Lane, by Travis County Water Control and Improvement District No. 20 contiguous to Council District No. 10.

Lead Department

Planning and Zoning

Fiscal Note

This item has no fiscal impact.

For More Information:

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Council Committee, Boards and Commission Action:

May 1, 2019 - Recommended by the Environmental Commission on a 7-0 vote with Commissioners Creel, Gordon, and Maceo absent

May 8, 2019 - Recommended by the Water and Wastewater Commission on an 8-0-0-3 vote with Commissioners Parton, Fisher, and Castleberry absent

May 14, 2019 - Recommended by the Planning Commission on a 13-0 vote

Additional Backup Information:

On April 2, 2019, the City received an application requesting the City's consent to the annexation of approximately 2.309 acres located at 1111 N Weston Lane into the Travis County Water Control and Improvement District No. 20 (District). The District is located primarily in the City of Austin's extraterritorial jurisdiction (ETJ) in western Travis County and includes the Rob Roy subdivisions off FM 2244 west of Capital of Texas Highway. The subject tract was not part of the original Rob Roy on the Lake Subdivision Plan and accordingly, was left out of the District boundary when it was created and is effectively an outparcel surrounded by the District's service area at this time. The property to be annexed into the District is located in the Lake Austin Watershed. A map identifying the tract to be annexed into the District and its location relative to existing District boundaries and City jurisdictions is attached.

Applicant's Proposal

There is an existing residence on the property which has potable water from Lake Austin. The District also draws its water from the lake and provides treated water to properties located within its boundary. The District has a water line in Weston Lane that runs from the District's water treatment system several hundred feet to the west of this property. The owners are requesting 2.5 living unit equivalents of water service (LUEs) for the existing house and a proposed guest house. The District's engineer has advised that the water utility facilities of the District are sufficient to provide the requested service to the property. The District's Board has approved the annexation request contingent upon receiving the City's approval of the District's annexation of the property.

City Review Process

The Agreement Concerning Creation of the Travis County Water Control and Improvement District No. 20 (Consent Agreement) requires City approval for the annexation of land by the District. The District is considered a “non-city service district” and as such, the City is not authorized to place restrictions or conditions on this consent. If the City fails or refuses to consent within 90 days of receipt of a written request, the owner may petition the City to make available those services to be provided by the District. Failure to execute a mutually agreeable contract for services within 120 days constitutes authorization for inclusion of land within the District.

Requests for annexation into a water district are typically 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

Staff recommends consent to the proposed annexation into Travis County Water Control and Improvement District No. 20. Annexation into the MUD will not affect the City of Austin’s annexation plans and staff does not anticipate any negative land use impacts on adjacent property. Staff has determined that the property requesting City consent to annexation into WCID 20 is outside of Austin Water’s (AW) impact fee boundary. For AW to serve this property, a waiver to the LDC 25-9-3 would be required. The code states the City may not provide water or wastewater service outside the service area of the Austin Water Utility unless the council by ordinance waives the prohibition. Additionally, water and wastewater services are approximately 2 miles away from the property. Finally, regulations for development will follow the same rules and processes currently in effect if the MUD annexes the tract.