



ITEM FOR ENVIRONMENTAL COMMISSION AGENDA

COMMISSION MEETING DATE: October 2, 2019

NAME & NUMBER OF PROJECT: Austin Green Municipal Utility District, C12M-2018-0005

NAME OF APPLICANT OR ORGANIZATION: Steven Spears
Groundwork

LOCATION: 11600-12337 Harold Green Road

COUNCIL DISTRICT: 2-mile ETJ, will be District 2 once PUD is approved

ENVIRONMENTAL REVIEW STAFF: Atha Phillips, Environmental Officer's Office
(512) 974-2132, atha.phillips@austintexas.gov

WATERSHED: Colorado River Basin and Elm Creek Watershed, Suburban Watershed Classification, Desired Development Zone

REQUEST: The applicant is requesting the City's consent to the creation of the Austin Green Improvement District No. 1 (formerly Rio de Vida Municipal Utility District). Special legislation approved during the 2017 Legislative Session created the District and provides that if the City does not consent to the District before February 14, 2020, the District will dissolve on that date.

The District includes 2,126.25 acres primarily located at the intersection of State Highway 130 and Harold Green Road in the Austin extraterritorial jurisdiction (ETJ) in eastern Travis County, Texas. The entire property is currently an active sand and gravel mining site. The District would finance infrastructure for water and wastewater service, drainage, water quality/floodplain mitigation, erosion control, site reclaiming, roads, electrical sub-station, and parks. This will prepare the site as it transitions from a mining operation into a major Town Center comprised of a mixture of proposed future land uses including a variety of compact housing types and commercial developments, connected street and trail improvements, accessible park and open space and other key community benefits consistent with the values of Imagine Austin.

In addition to the petition requesting City consent to the creation of a District, a Planned Unit Development (PUD) zoning application (C814-2018-0154) has been filed for this property and a concurrent review of the zoning application is underway, and the PUD will be presented later this year.

**STAFF
RECOMMENDATION:**

Staff recommended with conditions.

**RECOMMENDED
CONDITIONS:**

1. Effluent quality in all permit phases shall be at least 5 mg/L Carbonaceous Biochemical (5-day) Oxygen Demand, 5 mg/L Total Suspended Solids, 2 mg/L Ammonia as Nitrogen, 1 mg/L Total Phosphorus (5/5/2/1), and 10 mg/L Total Nitrogen.
2. Ultraviolet disinfection shall be the preferred method of disinfection. Dechlorination shall be required in all permit phases if chlorine disinfection is utilized instead of Ultraviolet disinfection.
3. The discharge outfall shall either be directly to the Colorado River, or the discharge may be routed to ponds in close proximity to the Colorado River for additional pollutant removal and thence to the Colorado River. The discharge outfall shall not be to a creek. If the discharge is routed to ponds, the required effluent standard in condition #1 shall be achieved prior to discharge to any pond.



MEMORANDUM

TO: Chair and Members of the Environmental Commission

FROM: Virginia Collier
Planning and Zoning Department

DATE: May 6, 2019

RE: Austin Green Improvement District No. 1, Petition for City Consent to Creation (C12M-2018-0005)

GroundWork, representing Martin Marietta Materials, Inc., submitted a petition requesting the City's consent to the creation of the Austin Green Improvement District No. 1 (formerly Rio de Vida Municipal Utility District). The District includes 2,126.25 acres primarily located at the intersection of State Highway 130 and Harold Green Road in the Austin extraterritorial jurisdiction (ETJ) in eastern Travis County, Texas. This property is situated along a three mile stretch of the Colorado River in the Elm Creek Watershed and the Colorado River Basin. The entire property is currently an active sand and gravel mining site. A location map showing the boundaries of the district relative to city jurisdictions is attached.

District Proposal

Special legislation approved during the 2017 Legislative Session created the District and provides that if the City does not consent to the District before February 14, 2020, the District will dissolve on that date. The purpose of the District is to finance improvements to prepare the site as it transitions from a mining operation into a major Town Center as envisioned on the *Imagine Austin* Growth Concept map. The District will issue bonds to pay for infrastructure for water and wastewater service, drainage, water quality/floodplain mitigation, erosion control, site reclaiming, roads, electrical sub-station, and parks.

In addition to the petition requesting City consent to the creation of a District, a PUD zoning application (C814-2018-0154) has been filed for this property and a concurrent review of the zoning application is underway. Future development will include a mixture of proposed land uses including a variety of compact housing types and commercial developments, connected street and trail improvements, accessible park and open space and other key community

benefits consistent with the values of *Imagine Austin*. Specific to environmental benefits, approximately 33% of the project area will be preserved for open space and parks with much of the parkland and open space network located along the Colorado River, providing recreational and ecological functions. Additional parks, open space and regional retention along Elm Creek will aid in addressing regional floodplain challenges. Further details will be included in the PUD zoning ordinance as more information about the proposed development becomes available.

City Review Process

The City Code review process for new Districts requires staff, boards, and commissions to review the application and submit a compiled report to City Council. Under the City's adopted Policy, Resolution 20110217-030, requests for consent to creation of a water district shall be evaluated according to the following criteria:

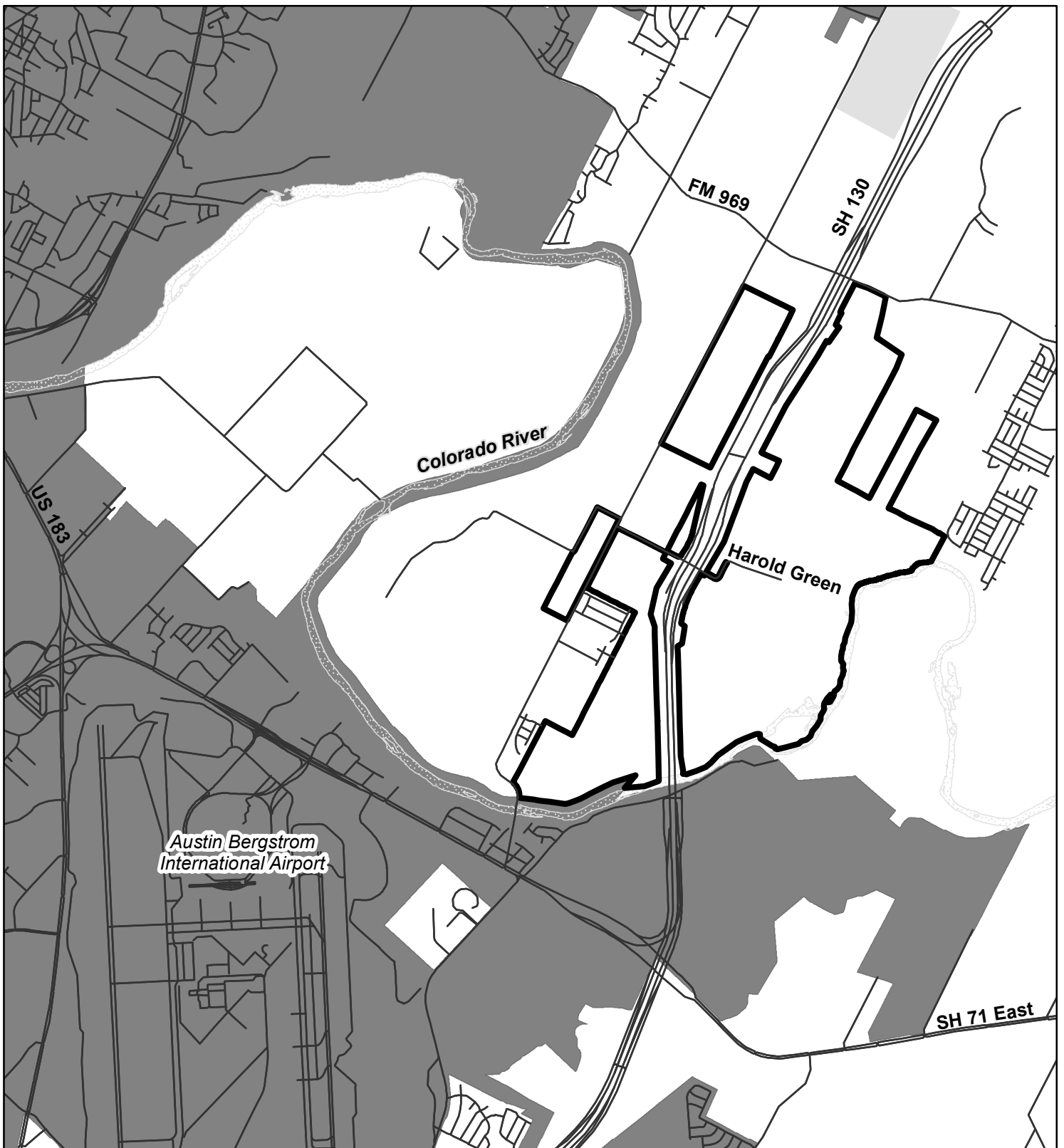
- Benefits to the City exceed those that would result through the standard development process or other types of districts
- Commitment to provide superior development
- Adherence to the City's comprehensive plan
- Provision of extraordinary public benefits including environmental improvement, affordable housing, community amenities, connectivity with other city infrastructure, open space, school sites, public safety sites, and public transportation infrastructure
- City land use control
- Water and wastewater service provided by the City of Austin
- Developer will contribute a portion of infrastructure without reimbursement by the District or the City
- District financing allows City to redirect CIP funds to other high priority needs
- Will not impair the City's future annexation of the District or adjacent property, or impose costs not mutually agreed upon, and
- Located entirely in the City's ETJ

Recommendation






Staff recommends City Council approve a Consent Agreement and Strategic Partnership Agreement for the Austin Green Improvement District No. 1. The District, the City, and the community in general will benefit from the construction of public improvements financed by District bonds. Superior development consistent with the City's comprehensive plan can be

achieved through the extension of City zoning and development regulations following limited purpose annexation. Austin Water will be the sole provider of retail water, wastewater, and reclaimed water services

If you have any questions or need any additional information, please contact me at (512) 974-2022.



C12M-2018-0005 Austin Green Improvement District No. 1

-  Austin Green Improvement District No. 1
-  Austin Full Purpose
-  Austin Limited Purpose
-  Austin ETJ
-  Lakes

0 0.5 1 Miles



This product has been produced by the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

City of Austin
Planning and Zoning Department
May 2019



Briefing on Proposed Austin Green Improvement District No. 1

October 2, 2019 Environmental Commission

Overview

- Consider a request for City consent to creation of the Austin Green Improvement District No. 1
 - Background
 - Proposed Development
 - City Policy
 - Staff Recommendation
 - Board and Commission Review Schedule
- **The Environmental Commission is asked to make a second recommendation on the creation of the proposed District since circumstances have changed**

Background

- Enabling legislation approved in 2017 created the Austin Green Improvement District (formerly Rio de Vida Municipal Utility District) subject to the consent of the City
- As a condition to its consent, certain agreements between the City, the Developer, and the District must be finalized by February 14, 2020
- These agreements provide certainty with regard to the regulatory requirements applicable to the District and provide the City with assurance of a superior quality of development for the benefit of present and future residents of the City and the District

Proposed Development

Total Acreage	2,126 acres
Single-family	4,377 units
Low-rise Multi-family	4,374 units
Mid-rise Multi-family	3,249 units
Medical/Dental Office	150,000 sq ft
General Office	600,000 sq ft
Shopping Center	650,000 sq ft
Light Industrial	300,000 sq ft
Open Space	701 acres
Projected Population	31,920
Proposed Total Bonds	\$481,000,000
Proposed District Tax Rate	\$1.10/\$100

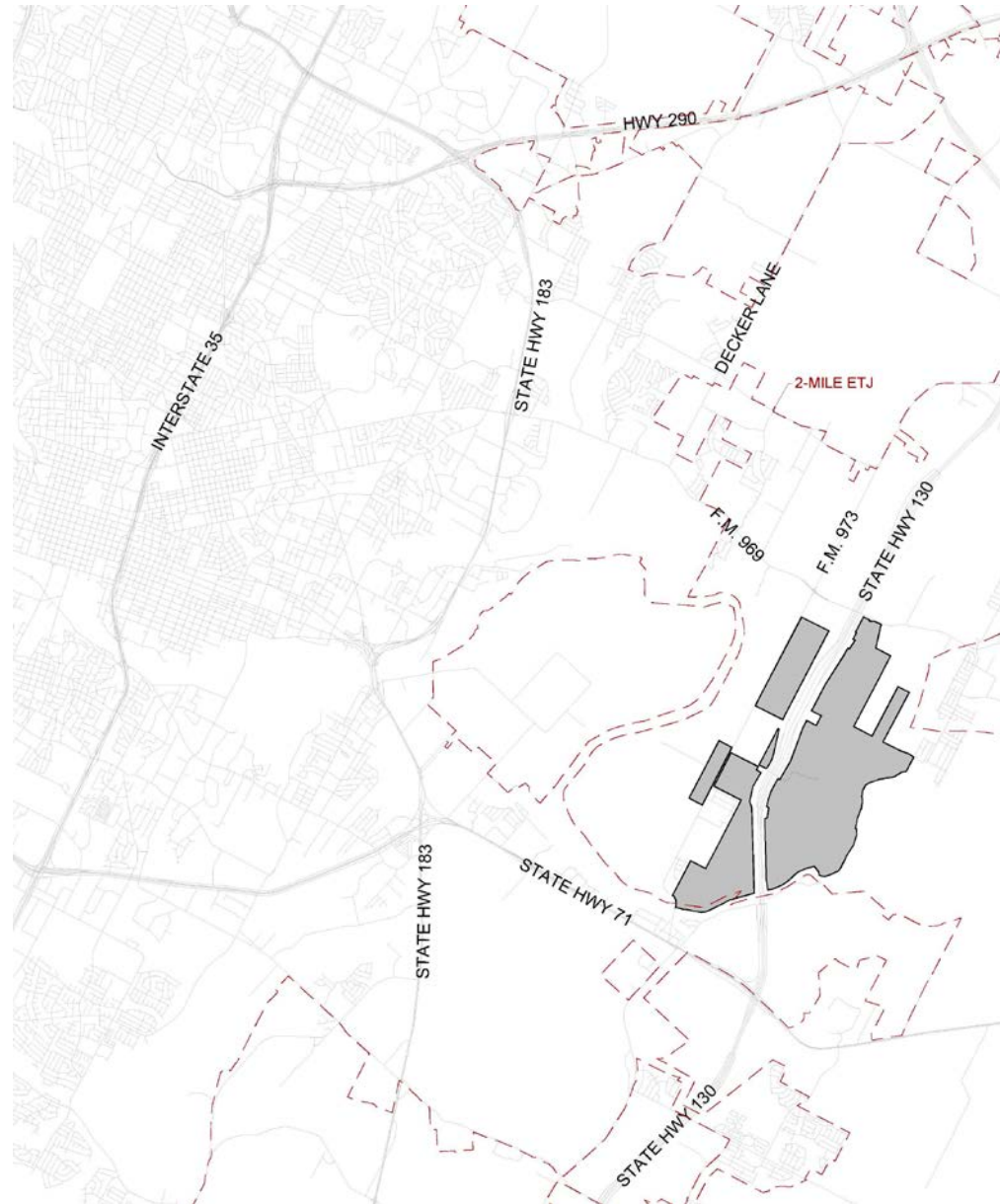
Environmental Considerations

- Large portions of the property are active sand and gravel mining operations
- The MUD will finance infrastructure and reclamation to prepare the site as it transitions into a major Town Center
- The MUD was recently made aware that they would need to build a wastewater treatment plant and possibly a reclaimed water plant.
- PUD zoning is a requirement of the MUD and will go into detail about what the development will look like
- The PUD is currently in review and will come back to the Environmental Commission towards the end of this year

PUD Overview

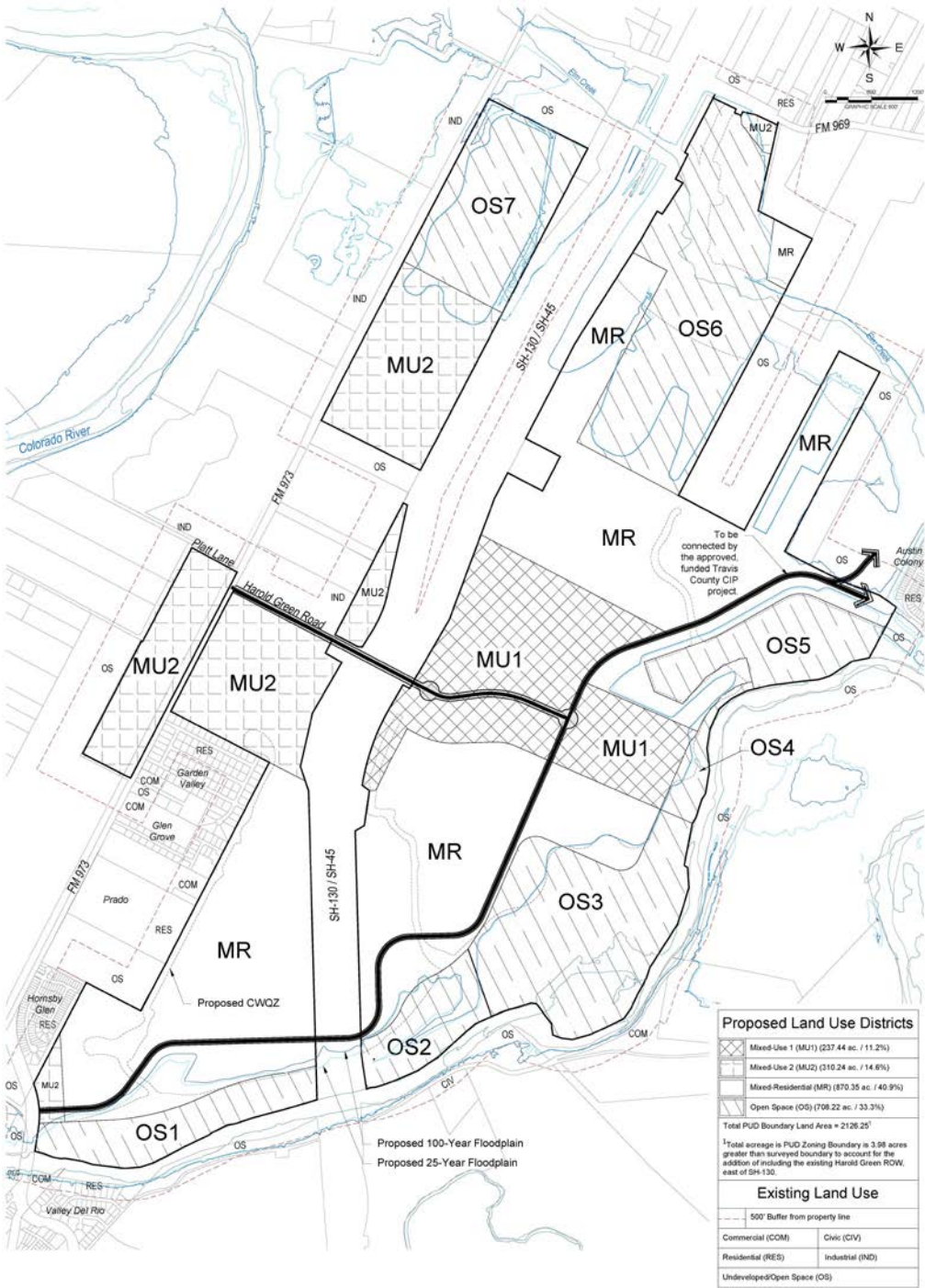
Location

Colorado River Basin
Elm Creek Watershed



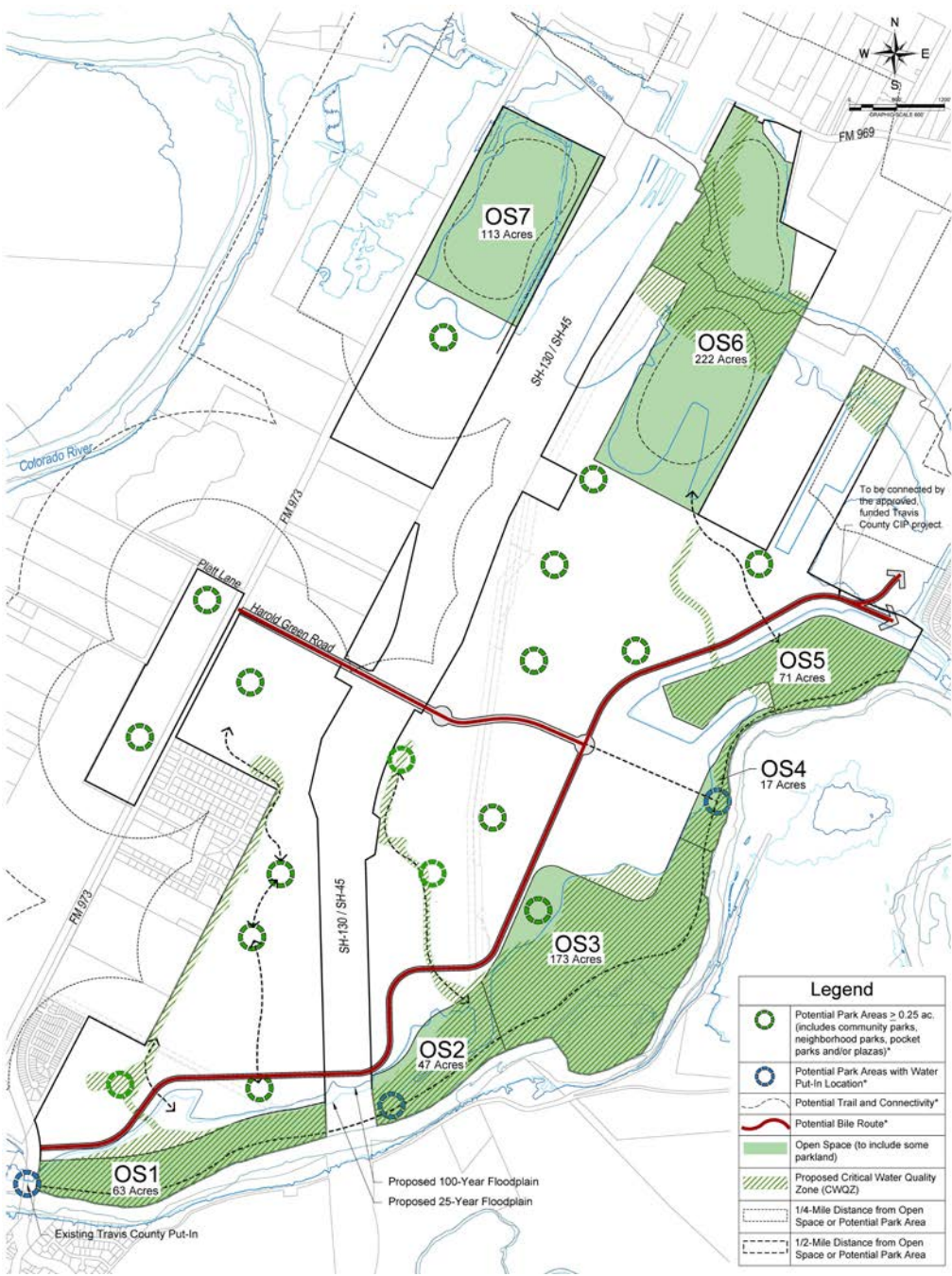
PUD Overview

Land Use:
Mixed Use
Mixed Residential
Open Space/Parkland



PUD Overview

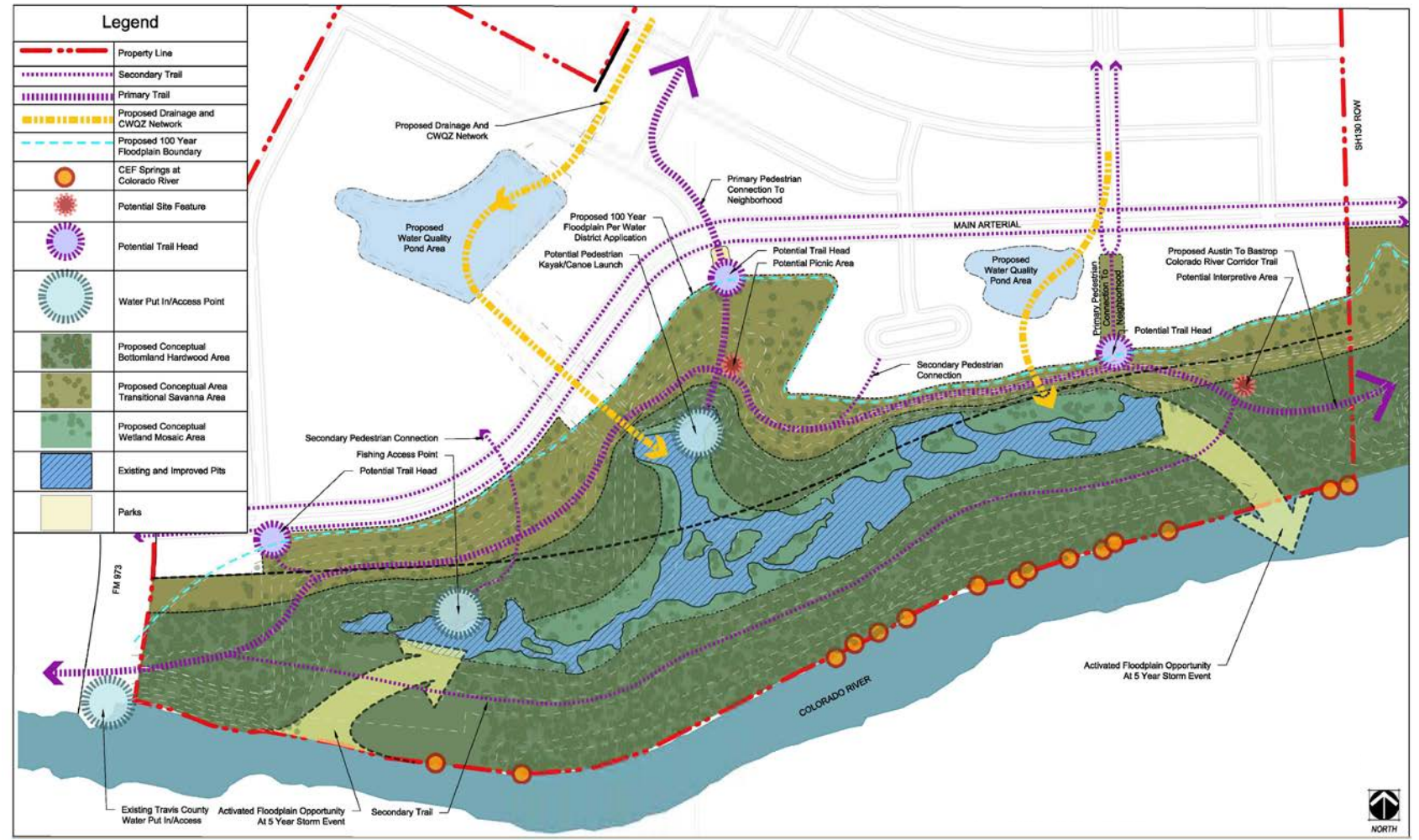
Open Space Parkland



PUD Overview

Open Space Parkland

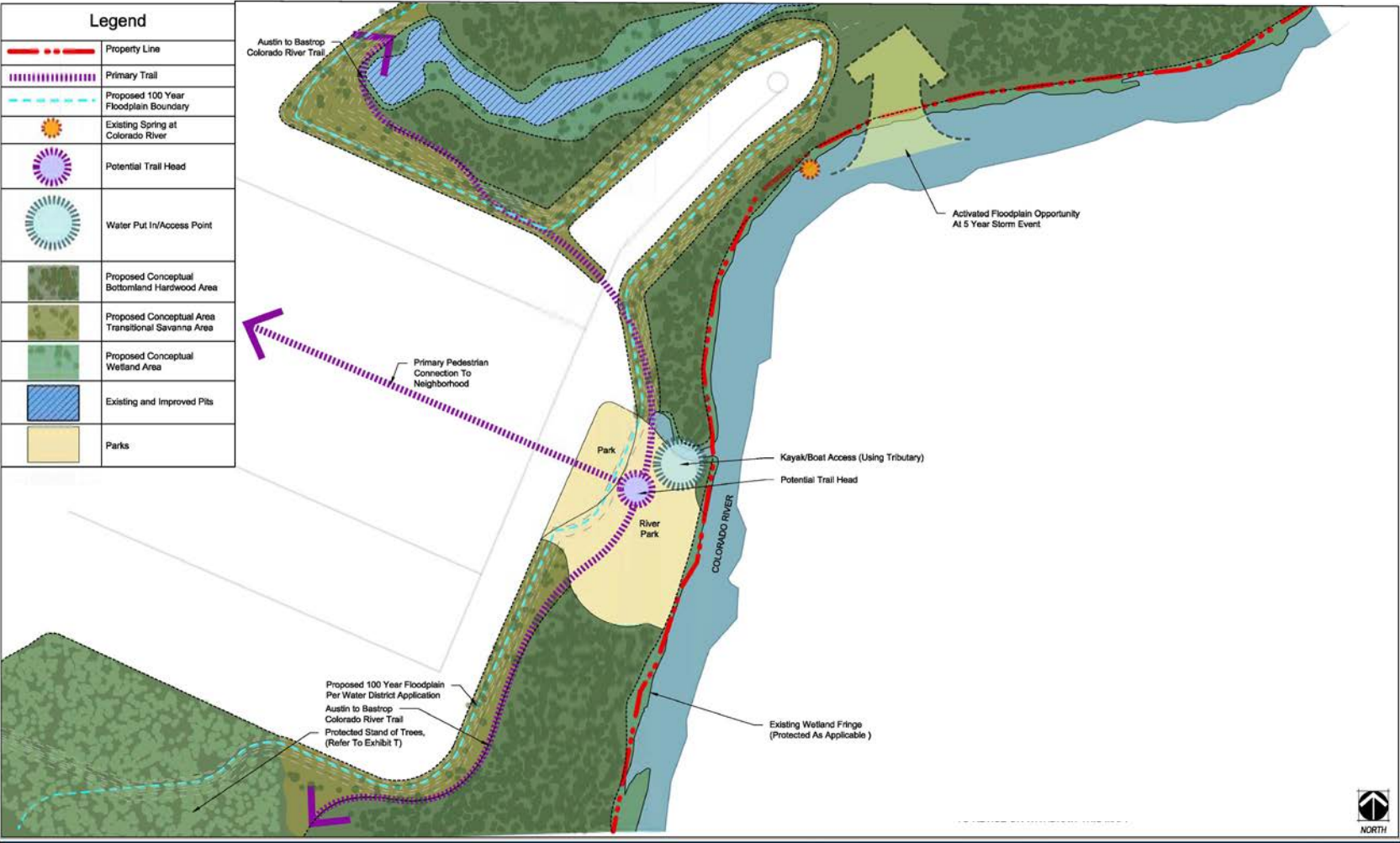
Reclamation
Preserve Natural Character
Restore Systems
Passive Recreation



PUD Overview

Open Space Parkland

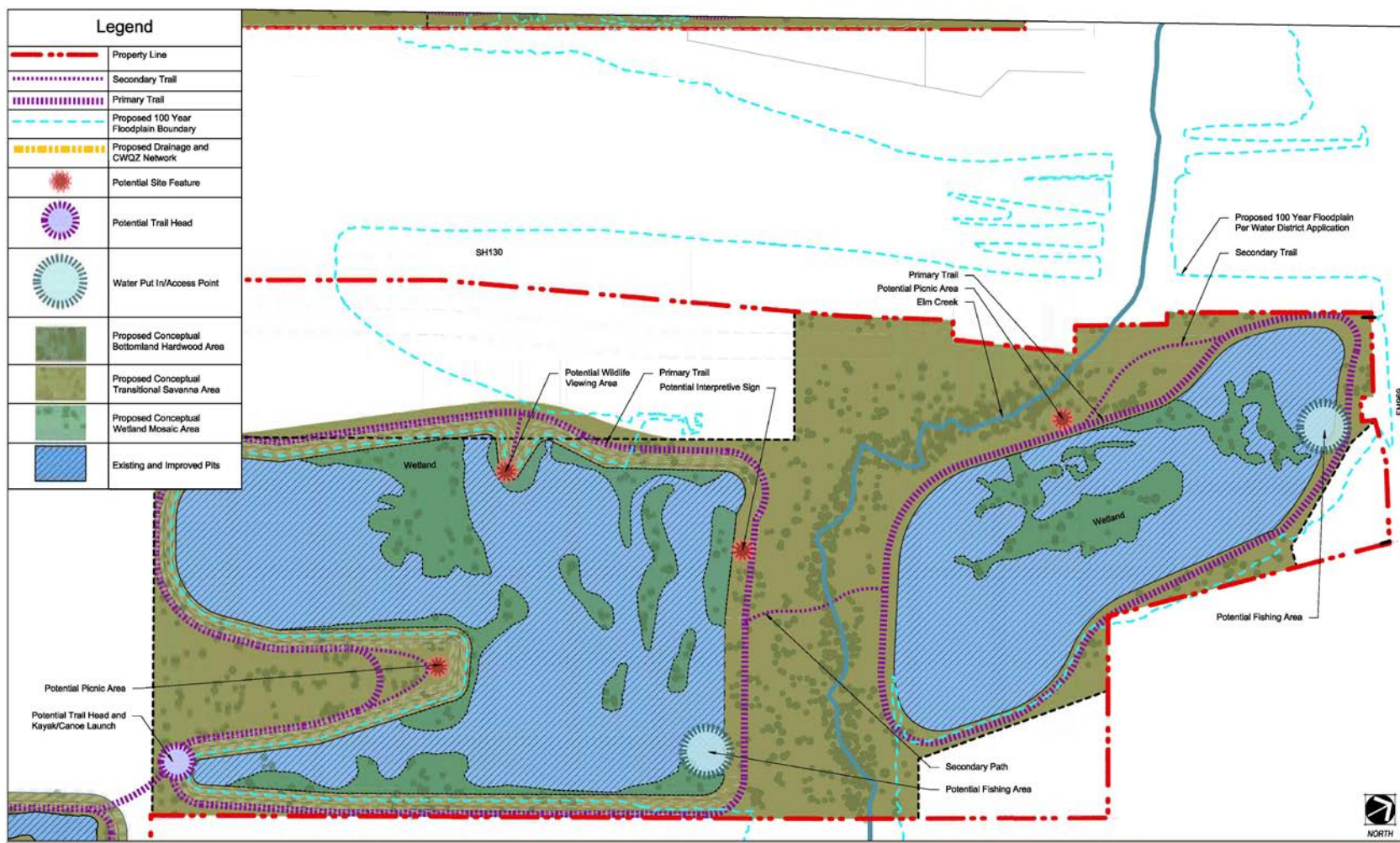
Interaction Connection



PUD Overview

Open Space Parkland

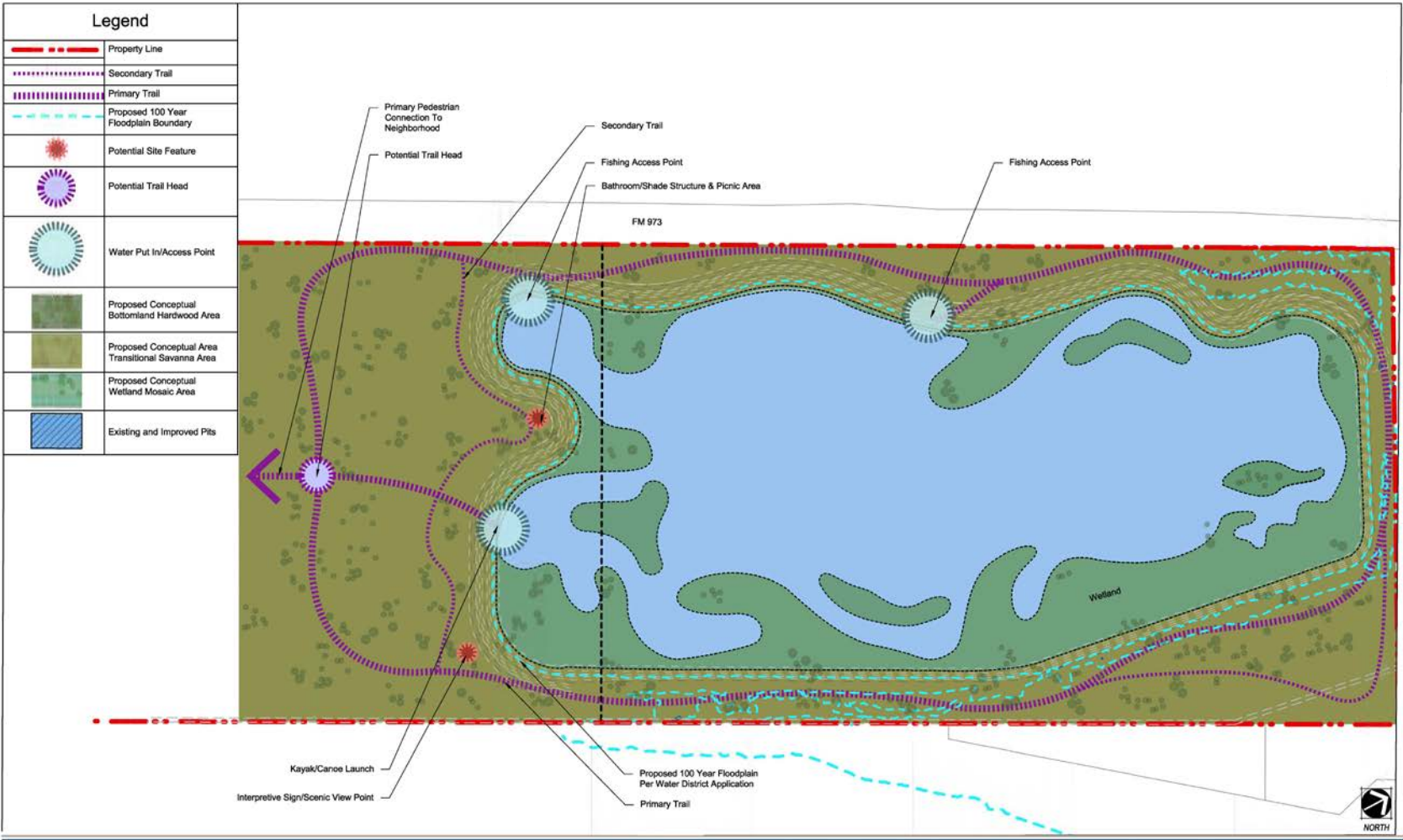
Flood Retention
Water Quality
Wetland Restoration



PUD Overview

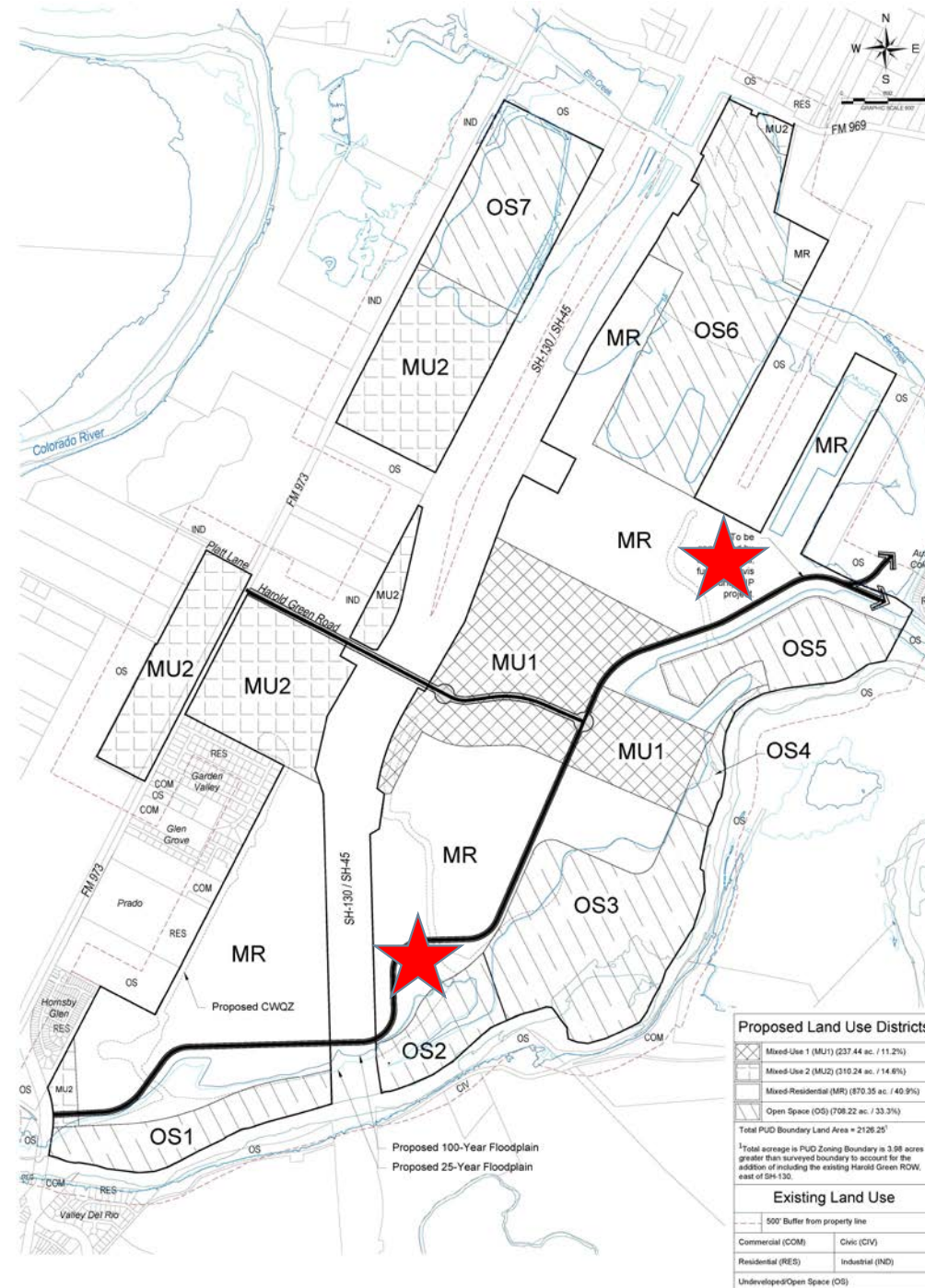
Open Space Parkland

Trails
Recreation
Park Amenities



MUD Treatment Plant

Possible Treatment
Plant Locations

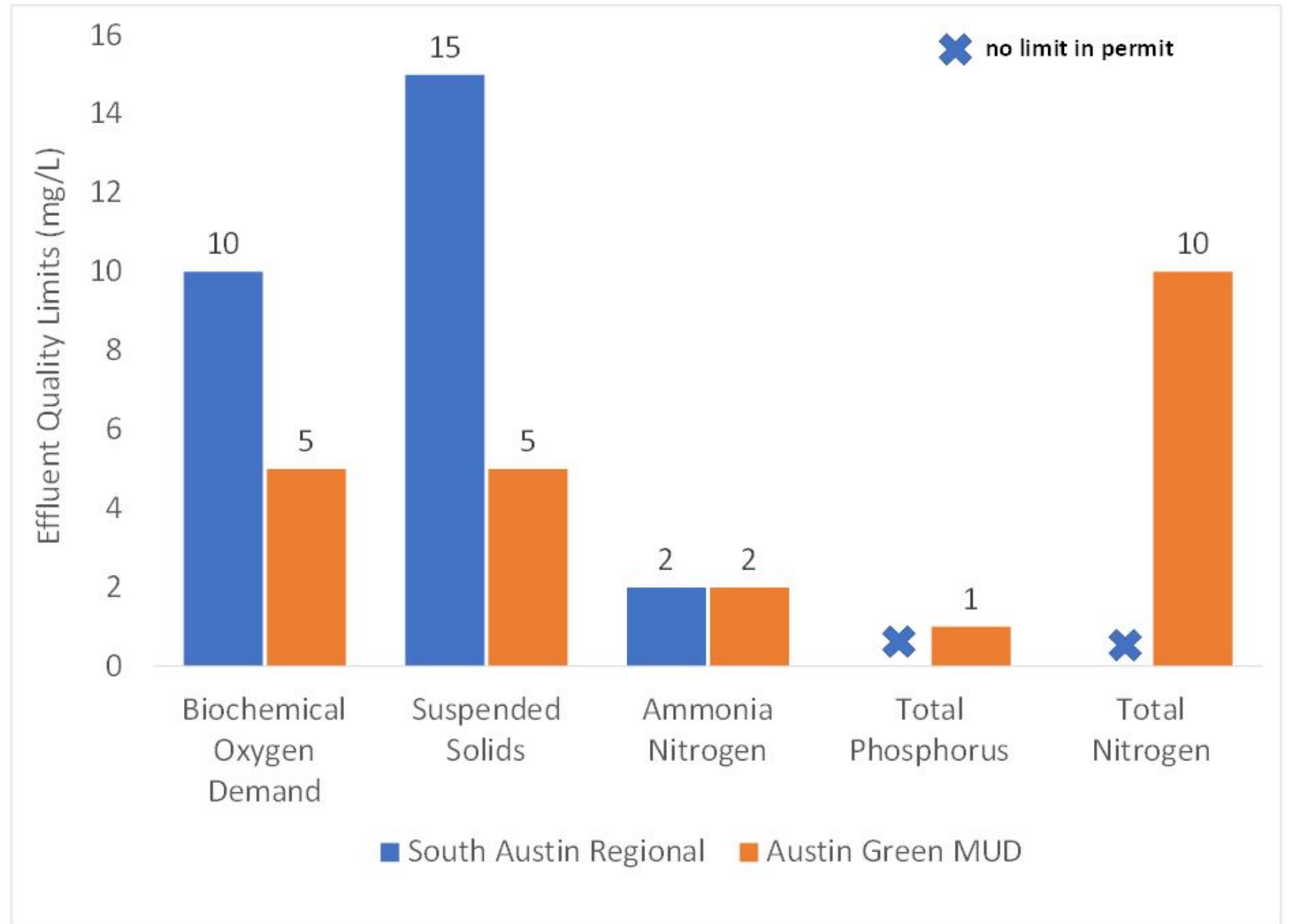


MUD Treatment Plant Environmental Conditions

- Effluent quality in all permit phases shall be at least 5 mg/L Carbonaceous Biochemical (5-day) Oxygen Demand, 5 mg/L Total Suspended Solids, 2 mg/L Ammonia as Nitrogen, 1 mg/L Total Phosphorus (5/5/2/1), and 10 mg/L Total Nitrogen.
- Ultraviolet disinfection shall be the preferred method of disinfection. Dechlorination shall be required in all permit phases if chlorine disinfection is utilized instead of Ultraviolet disinfection.
- The discharge outfall shall either be directly to the Colorado River, or the discharge may be routed to ponds in close proximity to the Colorado River for additional pollutant removal and thence to the Colorado River. The discharge outfall shall not be to a creek. If the discharge is routed to ponds, the required effluent standard in condition #1 shall be achieved prior to discharge to any pond.

MUD Treatment Advantages

Same or better
treatment compared to
the City of Austin plant



City Policy Regarding District Creation

- Criteria outlined in Resolution No. 20110217-030 summarized:
 - Will the proposed district provide more benefit to the City than a standard development process, conventional financing, or other type of district?
 - Do proposed agreements include commitments to superior development consistent with the Comprehensive Plan and City Code?
 - Does the district confer extraordinary public benefits such as land use control through zoning, public amenities, and connectivity with other City infrastructure?
 - Will the City provide water, wastewater, and reclaimed water?

Rationale for Staff Recommendation

- Staff recommends approval of a Consent Agreement and Strategic Partnership Agreement (SPA) for the Austin Green Improvement District for these reasons:
 - The District, the City, and the community will benefit from public improvements financed by District bonds
 - Superior development can be achieved through the extension of City zoning and development regulations
 - The following PUD will provide open space, parkland, trails, and connectivity through the district.
 - The District is currently split between two Certificates of Convenience and Necessity (CCN's), the City of Austin and Southwest Water (aka Hornsby Bend Utility). Austin Water will provide retail water, wastewater, and reclaimed water services in accordance with City ordinances, policies, procedures, and state law. Southwest Water will provide services within their CCN area; infrastructure will be designed and constructed to City standards and specifications.

Board and Commission Review Schedule

- Urban Transportation Commission April 9, 2019
- Water and Wastewater Commission April 10, 2019
- **Environmental Commission** **May 15, 2019**
- Parks and Recreation Board June 25, 2019
- Planning Commission July 23, 2019
- **Environmental Commission** **October 2, 2019**

Commission Recommendation

- **The Environmental Commission is asked to make a recommendation on the creation of the proposed District**