



## Water & Wastewater Commission Review and Recommendation

|                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                          |                                 |                               |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|-------------------------------|
| <b>Commission Meeting Date:</b>                                                                                                                                                                                                                                                                                                    | June 2, 2021                                                                                                                                                                                                                             | <b>COA Strategic Direction:</b> | Government that Works for All |
| <b>Council Meeting Date:</b>                                                                                                                                                                                                                                                                                                       | June 10, 2021                                                                                                                                                                                                                            |                                 |                               |
| <b>Department:</b>                                                                                                                                                                                                                                                                                                                 | Austin Water                                                                                                                                                                                                                             |                                 |                               |
| <b>Client:</b>                                                                                                                                                                                                                                                                                                                     | Kevin Critendon                                                                                                                                                                                                                          |                                 |                               |
| <b>Agenda Item</b>                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                          |                                 |                               |
| Recommend approval of Service Extension Request No. 4652 for wastewater service to a 34.4 acre tract located at 11213 FM 620 within the Drinking Water Protection Zone, partially within the City's Full-Purpose Jurisdiction, partially within the City's 2-mile Extra-Territorial Jurisdiction, and Austin Water's service area. |                                                                                                                                                                                                                                          |                                 |                               |
| <b>Amount and Source of Funding</b>                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                          |                                 |                               |
| There is no anticipated fiscal impact.                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                          |                                 |                               |
| <b>Purchasing Language:</b>                                                                                                                                                                                                                                                                                                        | N/A                                                                                                                                                                                                                                      |                                 |                               |
| <b>Prior Council Action:</b>                                                                                                                                                                                                                                                                                                       | N/A                                                                                                                                                                                                                                      |                                 |                               |
| <b>Boards and Commission Action:</b>                                                                                                                                                                                                                                                                                               | April 21, 2021 — Not recommended by the Environmental Commission on a motion to deny by Commissioner Coyne and seconded by Commissioner Thompson on a 6-1 vote.<br>June 2, 2021 — To be reviewed by the Water and Wastewater Commission. |                                 |                               |
| <b>MBE/WBE:</b>                                                                                                                                                                                                                                                                                                                    | N/A                                                                                                                                                                                                                                      |                                 |                               |

The FM 620 and Anderson Mill Rd. project consists of approximately 34.4 acres of land located at 11213 FM 620 (the "Property"). The Property is located within the City of Austin's (the "City") Full-Purpose Jurisdiction and the City's 2-mile Extra-Territorial Jurisdiction, Impact Fee Boundary, Austin Water's service area for wastewater, the Drinking Water Protection Zone, and the Lake Creek Watershed. A map of the property location is attached.

**Applicant:**

CWS Capital Partners, LLC (the "Applicant") is proposing to develop approximately 350 multi-family units. The Applicant requested that the City provide wastewater utility service to the Property as proposed in Service Extension Request (SER) No. 4652. Austin Water will also provide retail water service to the Property. Council action is not required for water service under City Code because water service to the property is suitable and sufficient to meet the applicant's proposed needs.

City Code § 25-9-35 requires City Council approval for this SER because the Property is located within the Drinking Water Protection Zone and partially outside the City's full-purpose corporate limits. The City will not cost participate on this project.

**Infrastructure Improvements:**

To serve the Property, the Applicant will be required to construct:

- for Option 1, approximately 1,600 feet of 12-inch gravity wastewater main from the existing 8-inch gravity wastewater main (Project no. 80-0629; MH ID #11399) located in El Salido Pkwy., southwest towards Anderson Mill Rd. to the existing 8-inch gravity wastewater main (Project no. 2004-0567; MH ID #132614),
- Applicant shall also upgrade the pumping capacity of the existing Volente Lift Station to a firm capacity of approximately 355 gpm in order to adequately serve the additional wastewater flow proposed to be contributed by this development, and
- approximately 1,350 feet of appropriately sized force main from the existing Volente Lift Station, north and northwest across the adjacent property, to the existing 6-inch gravity wastewater main (Project no. 2004-0567) located east of N. FM 620 and south of Anderson Mill Rd., or
- for Option 2, approximately 1,200 feet of 12-inch gravity wastewater main from the existing 8-inch gravity wastewater main (Project no. 80-0629; MH ID #11399) located in El Salido Pkwy., southwest towards Anderson Mill Rd. to the existing 8-inch gravity wastewater main (Project no. 2002-0552; MH ID #132617),
- approximately 650 feet of 12-inch gravity wastewater main from the existing 8-inch gravity wastewater main (Project no. 2002-0552; MH ID #132618) located in Anderson Mill Rd. and extend southeast and then southwest towards the Property,
- Applicant shall also upgrade the pumping capacity of the existing Volente Lift Station to a firm capacity of approximately 355 gpm in order to adequately serve the additional wastewater flow proposed to be contributed by this development, and
- approximately 950 feet of appropriately sized force main from the existing Volente Lift Station, northeast to the proposed 12-inch gravity wastewater main

The proposed wastewater improvements are sized to serve the needs of the Property and will conform to all City Code requirements. These improvements will be designed in accordance with City's Environmental Criteria Manual and Utilities Criteria Manual and will be inspected by the City's Development Services Department. The Owner will construct all required improvements at their cost and dedicate the facilities to the City for ownership, operation, and maintenance. All City fees are applicable to the provision of wastewater service including capital recovery fees.

**City Staff Recommendation:**

Austin Water has evaluated the Applicant's request for City wastewater service and can provide centralized wastewater service as proposed in SER-4652. Attached is a report from Austin Water staff outlining additional technical information related to providing service to this tract. Watershed Protection staff has evaluated the applicant's request and does not recommend approval of SER-4652. A report provided by Watershed Protection Department staff that addresses their environmental concerns with providing centralized wastewater service as proposed in SER-4652 is also attached.

Contingent upon approval of SER-4652 for wastewater service to the Property, approval of any related development applications for the Property is subject to current City Code, including the Watershed Protection Ordinance.

The proposed project is located in zip code 78726 and is also located partially within City Council District 6.

# MEMORANDUM

**To:** Water and Wastewater Commissioners  
**From:** Cole Huggins, P.E., Utility Development Services  
**Date:** April 12, 2021  
**Subject:** FM 620 and Anderson Mill Rd. (Wastewater SER-4652)

Enclosed is additional technical information related to Wastewater SER-4652 and the associated Request for Council Action.

## Other SERs:

- There are 23 water SERs located within one-half of a mile of the subject tract. Of these SERs, 12 were approved by City Council, five were administratively approved, and six were withdrawn prior to City Council consideration. Two of the withdrawn SERs were submitted by different applicants for the subject tract.
- There are 18 wastewater SERs located within one-half of a mile of the subject tract. Of these SERs, nine were approved by City Council, 5 were administratively approved, and four were withdrawn prior to City Council consideration. Three of the withdrawn SERs were submitted by different applicants for the subject tract.

## Water Utility Service:

- The City's existing water distribution system is located at the subject tract's property line along FM 620; Applicant was not required to submit a water SER due to this proximity

## Wastewater Utility Service:

- The City's existing wastewater collection system is located at the subject tract's property line along FM 620; however, the Applicant was required to submit an SER due to capacity limitations at the Volente Lift Station, which is located downstream of the subject tract

## SER Improvements:

- The SER improvements will not cross any known environmental features
- The SER improvements will conform to all City Code requirements, be designed in accordance with City's Environmental Criteria Manual and Utilities Criteria Manual, and will be inspected by the City's Development Services Department.

If you need additional information, please do not hesitate to contact me. Thank you.

cc: Kevin Critendon, P.E., Assistant Director  
Greg Meszaros, Director





## MEMORANDUM

**TO:** Linda Guerrero, Chair, and Members of the Environmental Commission

**FROM:** Kaela Champlin, Environmental Program Coordinator  
Watershed Protection Department

**DATE:** April 6, 2021

**SUBJECT:** FM 620 and Anderson Mill Road SER #4652

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Service Extension Requests (SER) located in the Drinking Water Protection Zone and outside of the City of Austin's full purpose jurisdiction require Council approval and review by the Environmental Commission. Watershed Protection Department staff have completed the review for FM 620 and Anderson Mill Road Wastewater SER #4652 and do not recommend approval of the request.

### Site Overview

The site consists of a tract of approximately 34.40 acres, located at 11213 FM 620 Road. The site consists of 4 parcels; the northern three parcels consisting of 9.4 acres are located in the City of Austin's full purpose jurisdiction and the Birden tract, a 25-acre parcel, is located in the City's 2-Mile ETJ and is adjacent to Council District 6. The site is in the Bull Creek Watershed, Water Supply Suburban, and the Drinking Water Protection Zone, and the Northern Edwards Aquifer Recharge Zone.

Service Extension Requests have been made on this site previously and were not recommended by Watershed Protection Department Staff.

In 2016, a wastewater service extension request (SER #3880) was made for Broadstone 620/Birden Multi-family, a proposed multifamily development with 336 units on the southern 25-acre portion of the site. The SER was considered by the Environmental Commission on November 16, 2016, and the Commission recommended against approval. Subsequently, the Water and Wastewater Commission did not make a recommendation on the SER and the applicant withdrew the service extension request. The staff memo, proposed SER, and Environmental Commission recommendation are attached as Exhibit A.

In 2018, water and wastewater SERs #4098 and 4099 were submitted for the 25-acre Birden tract. The applicant proposed to build 138 single family residences with 138 LUEs. Watershed

Protection Department did not support the request, and the applicant formally withdrew the request.

The current applicant is now proposing to develop a 350-unit multi-family development with 175 LUEs on the 25-acre Birden Tract, and the 9.4 acres of land to the north of it. A site plan is currently in review with the City of Austin (SP-2020-0427C).

## **Development Impacts**

### Water:

The site is located in the Austin Water Service Area.

### Wastewater:

The SER proposes that the applicant upgrade the existing Volente Lift Station, upgrade the existing force main that serves the lift station, and upgrade the downstream gravity collection system to provide the capacity necessary to serve the proposed development. The applicant is proposing two wastewater extension options that are described in the Service Extension Request for Consideration (Exhibit B) as follows:

#### Option 1

Applicant shall construct approximately 1,600 feet of 12-inch gravity wastewater main from the existing 8-inch gravity wastewater main (Project no. 80-0629; MH ID #11399) located in El Salido Pkwy., southwest towards Anderson Mill Rd. to the existing 8-inch gravity wastewater main as shown on page 1 of the attached maps. The proposed 12-inch gravity wastewater main shall replace the existing 8-inch gravity wastewater main (Project no. 2002-0552) along this path and all existing services shall be reconnected to the proposed 12-inch gravity wastewater main.

Applicant shall also make an appropriately sized wastewater connection to the existing 8-inch gravity wastewater main located south of the Volente Lift Station at the location shown on the attached map. Applicant shall also upgrade the pumping capacity of the existing Volente Lift Station to a firm capacity of approximately 355 gpm in order to adequately serve the additional wastewater flow proposed to be contributed by this development. Upgrades shall include, but are not limited to, replacement of existing pumps, generator, and electrical system (including starters, wiring, service, control panel, etc.).

Applicant shall also construct approximately 1,350 feet of appropriately sized force main from the existing Volente Lift Station, north and northwest across the adjacent property, to the existing 6-inch gravity wastewater main located east of N. FM 620 and south of Anderson Mill Rd. The proposed force main shall replace the existing 4-inch force main located along this path.

#### Option 2

Applicant shall construct approximately 1,200 feet of 12-inch gravity wastewater main from the existing 8-inch gravity wastewater main located in El Salido Pkwy., southwest towards Anderson Mill Rd. to the existing 8-inch gravity wastewater main as shown on page 2 of the attached maps. The proposed 12-inch gravity wastewater main shall replace the existing 8-inch gravity wastewater main along this path and all existing services shall be reconnected to the proposed 12-inch gravity wastewater main. Applicant shall also construct approximately 650 feet of 12-inch gravity wastewater main from the existing 8-inch gravity wastewater main located in

Anderson Mill Rd. and extend southeast and then southwest towards the subject tract to the highest point that can be served by the proposed gravity wastewater main.

Applicant shall also make an appropriately sized wastewater connection to the existing 8-inch gravity wastewater main located south of the Volente Lift Station at the location shown on the attached map. Applicant shall also upgrade the pumping capacity of the existing Volente Lift Station to a firm capacity of approximately 355 gpm in order to adequately serve the additional wastewater flow proposed to be contributed by this development. Upgrades shall include, but are not limited to, replacement of existing pumps, generator, and electrical system (including starters, wiring, service, control panel, etc.)

Applicant shall construct approximately 950 feet of appropriately sized force main from the existing Volente Lift Station, northeast to the proposed 12-inch gravity wastewater main. Applicant shall also properly abandon the existing 4-inch force main as shown on page 2 of the attached maps.

Alternative Wastewater Service: The site is allowed 30.10 acres of net site area and 12.04 acres of allowable impervious cover. If service is not extended to the site and wastewater disposal is required under a Texas Land Application Permit (TLAP) issued by the Texas Commission on Environmental Quality, the applicant would not be able to develop with a similar density with decentralized service.

### **Environmental Impacts**

The property is in the Bull Creek Watershed and is classified as Water Supply Suburban. The site is in the Drinking Water Protection Zone and the Northern Edwards Aquifer Recharge Zone. The site contains critical water quality zone and water quality transition zone to the headwaters of Bull Creek. An Environmental Resource Inventory was conducted by the applicant, and two springs, one recharge critical environmental feature, and four wetlands were found onsite. Additionally, this site drains to Jollyville Plateau salamander (*Eurycea sosorum*) habitat, a federally-listed threatened species. In 2019, WPD salamander biologists performed a salamander occupancy survey in the tributary directly downstream of this site. The highest salamander occupancy was found in this tributary compared to the other tributaries surveyed both in 2018 and 2019.

### **Recommendation**

Due to the significant potential environmental impacts to the site with the extension of wastewater service, Watershed Protection Department staff do not recommend support for wastewater SER #4652.

The attached information provides further detail on the applicant's request. Please feel free to contact Kaela Champlin at (512) 974-3443 or [kaela.champlin@austintexas.gov](mailto:kaela.champlin@austintexas.gov) if you have any questions or comments about the proposed SER.

cc: Colleen Kirk, P.E., Austin Water  
Cole Huggins, P.E., Austin Water  
Liz Johnston, Watershed Protection Department  
Christopher Herrington, P.E., Watershed Protection Department

## **Exhibit A**



## MEMORANDUM

**TO:** Marisa Perales, Chair, and Environmental Commission Members

**FROM:** Chuck Lesniak, Environmental Officer  
Watershed Protection Department

**DATE:** November 9, 2016

**SUBJECT:** Broadstone 620/ Birden Multi-Family Wastewater SER #3880

Service Extension Requests (SERs) located in the Drinking Water Protection Zone (DWPZ) and outside of the City of Austin's Full Purpose Jurisdiction require Council approval and recommendation by the Environmental Commission. Watershed Protection Department (WPD) staff has completed the review for the Broadstone 620 / Birden Multi-Family wastewater SER and recommends against approval of the item.

### Site Overview

The site consists of 25 acres and two undeveloped lots (approximately 20 acres total) and two single-family lots (approximately 5 acres total). The site is located in the City of Austin's 2-mile Extraterritorial Jurisdiction in the Bull Creek watershed. The site is located in the DWPZ, the Northern Edwards Aquifer Recharge Zone (NEARZ), and the Water Supply Suburban watershed regulation area that contributes to the Lake Austin drinking water supply. There are identified critical environmental features located on and immediately downstream of the site, and the entire site drains to known Jollyville Plateau Salamander habitat and the headwaters of Bull Creek.

The applicant is proposing to develop the site with a multi-family development, consisting of 336 units. A site plan has not been submitted, although the applicant has provided a concept plan. Proposed development on site would be subject to the Watershed Protection Ordinance, including a limit of 40% impervious cover and Sedimentation/Filtration (or equivalent) water quality controls.

### Development Impacts

The extension request would include upgrades to an existing wastewater lift station and construction of an on-site private lift station and force main to accommodate the capacity of the proposed development. Centralized service would eliminate the need for on-site wastewater treatment area, and based on the site configuration, would likely increase the overall impervious cover in order to accommodate the proposed multi-family development. Therefore, providing

centralized service would allow increased development intensity in terms of both density (residential units and associated wastewater capacity) and impervious cover on a site located outside of the City of Austin zoning jurisdiction, where more protective zoning requirements (including tree protection and the Hill Country Roadway overlay) would not apply. Without these regulatory requirements, the site is able to develop to a higher intensity than would be allowable in the zoning jurisdiction.

### **Environmental Impacts**

The site is located in an environmentally-sensitive area where the City does not encourage increased development intensity. The entire site is located within the DWPZ, NEARZ, and drains to known Jollyville Plateau Salamander habitat, critical environmental features, and the headwaters of Bull Creek.

Centralized wastewater treatment may reduce potential negative water quality impacts associated with on-site septic treatment to the nearby surface water resources. However, staff has concluded that the negative potential environmental impacts associated with the increased development intensity on this site (including increased “non-point source” stormwater pollutant loading) may outweigh those of a decentralized system (increased “point-source” nutrient pollutant loading).

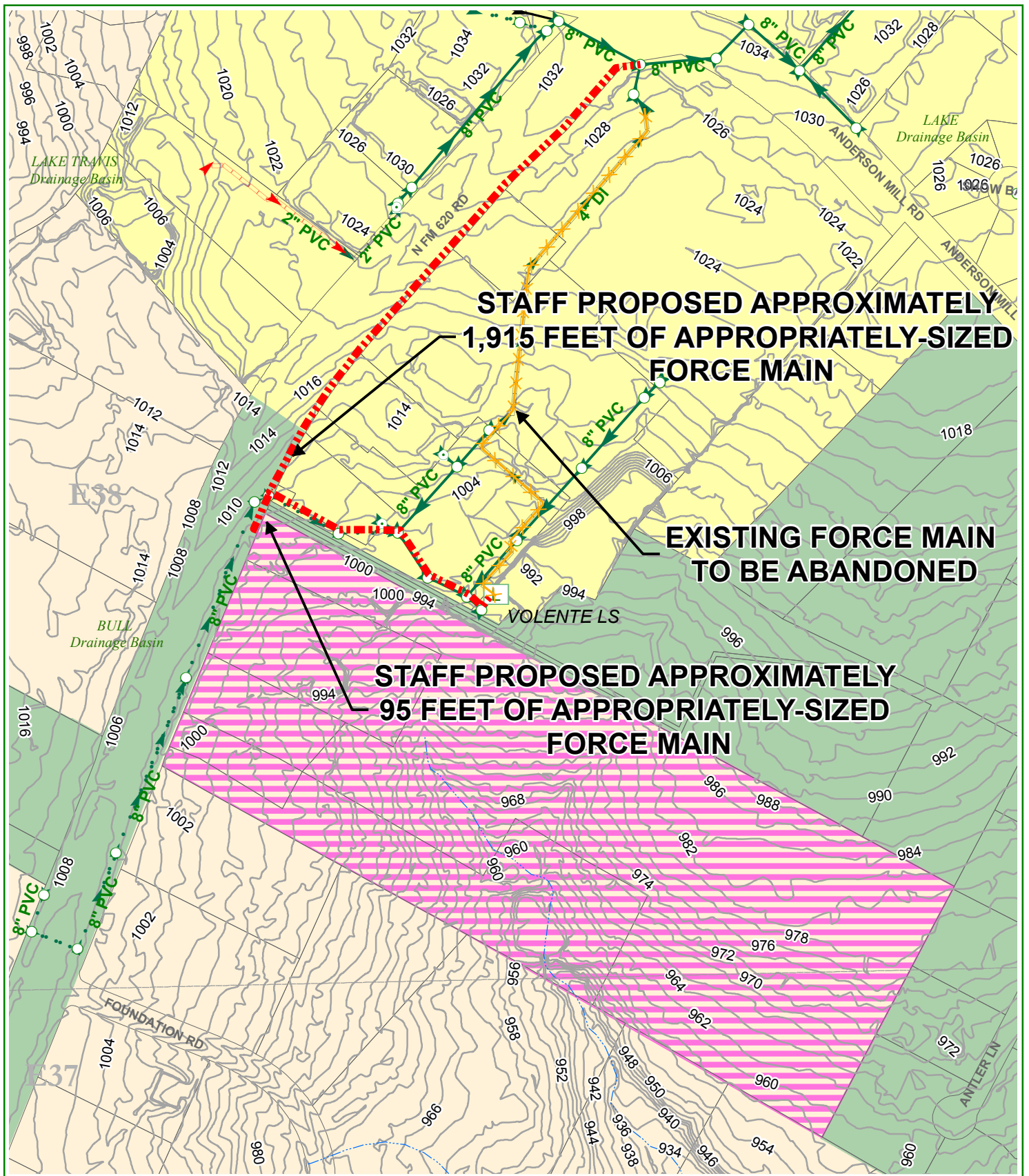
Staff acknowledges that the applicant has coordinated thoughtfully with review staff to develop a concept plan that considers sensitive environmental features on the site. However, without an approved site development plan associated with the SER, there is no ability for the City to require that the applicant develop the site as proposed at this time. In this evaluation, we must assume that the site may develop to the maximum extent possible under the existing regulatory requirements.

### **Recommendation**

Staff concludes that providing centralized service to the site would facilitate increased development intensity and associated negative environmental impacts in a sensitive environmental area outside of the City’s Full Purpose jurisdiction. Staff concludes that the negative impacts associated with the increased development intensity outweigh those associated with on-site wastewater treatment on this site. Staff therefore recommends against Service Extension Request #3880 at this time.

The attached information provides further detail on the applicant’s request. Please feel free to contact me at 512-974-2699, or Kelly Gagnon at 512-974-9368 or [Kelly.Gagnon@austintexas.gov](mailto:Kelly.Gagnon@austintexas.gov), with your questions or comments.

cc: Phillip Jaeger, Austin Water Utility  
Kelly Gagnon, Watershed Protection Department



0 150 300 600 900 Feet

- Subject Tract
- Full-Purpose City Limit
- 2-Mile ETJ
- Limited-Purpose City Limit

**W.W. S.E.R. Name: Broadstone 620/Birden Multi-Family**

**W.W. S.E.R. Number: 3880**

Utility Development Services Plotted 9/14/2016

**DRAFT**

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## **ENVIRONMENTAL COMMISSION MOTION 20161116 008a**

**Date:** November 16, 2016

**Subject:** Broadstone 620/Birden Multi-Family Wastewater SER #3880

**Motion by:** Marisa Perales

**Seconded by:** Mary Ann Neely

### **RATIONALE:**

**Whereas**, the proposed extension would facilitate increased development intensity in a sensitive environmental area outside the City of Austin Full Purpose jurisdiction; and

**Whereas**, there are identified critical environmental features located on and immediately downstream of the site and the entire site drains to known Jollyville Plateau Salamander Habitat and the headwaters of Bull Creek.

**Therefore**, the Environmental Commission recommends denial of the request for the service extension.

### **VOTE 7-2**

For: Creel, Perales, Thompson, Guerrero, Neely, Maceo, B. Smith

Against: Grayum, H. Smith

Abstain: None

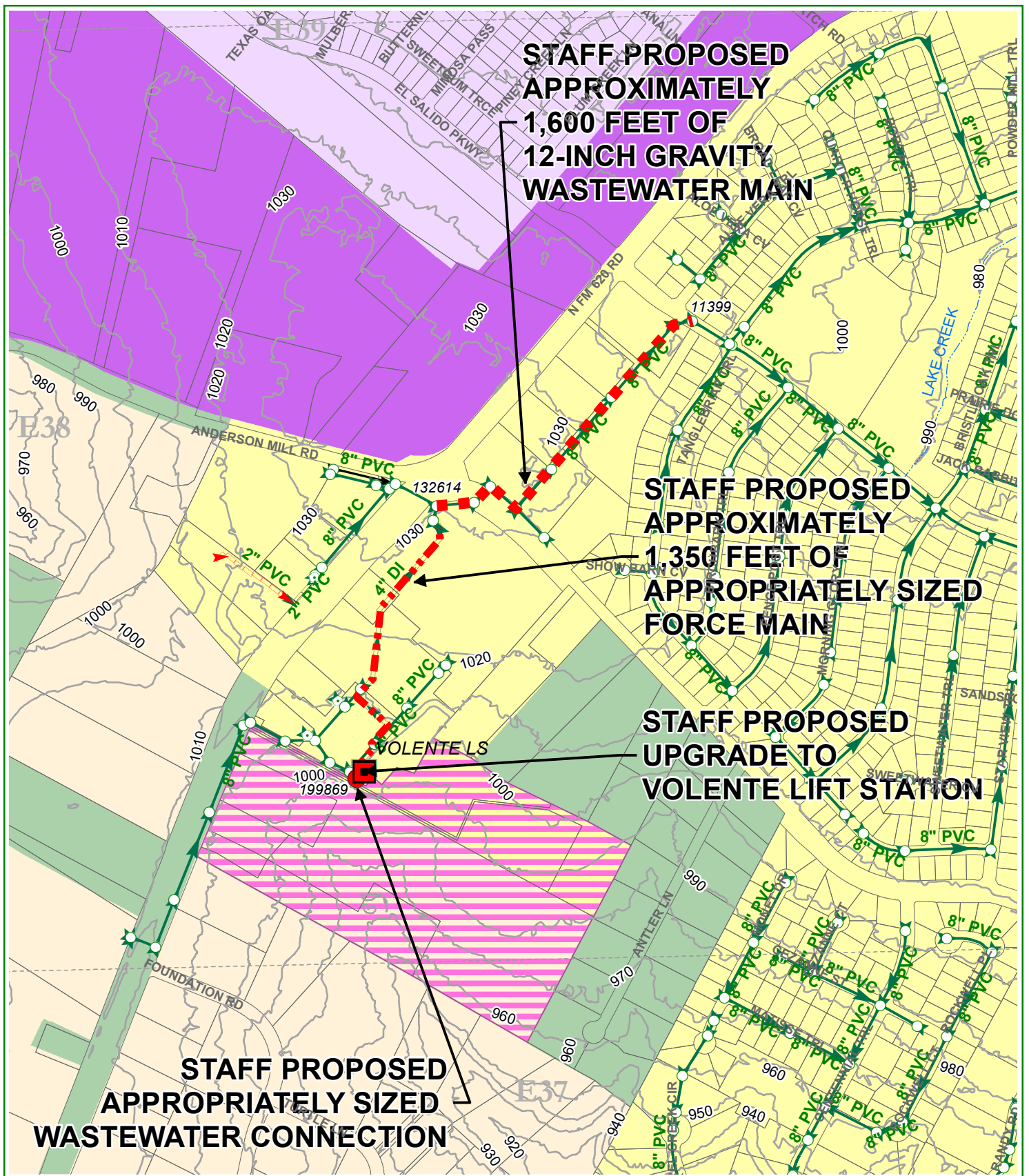
Recuse: None

Absent: Moya

Approved By:

Marisa Perales, Environmental Commission Chair

## **Exhibit B**



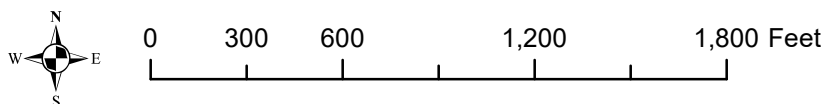
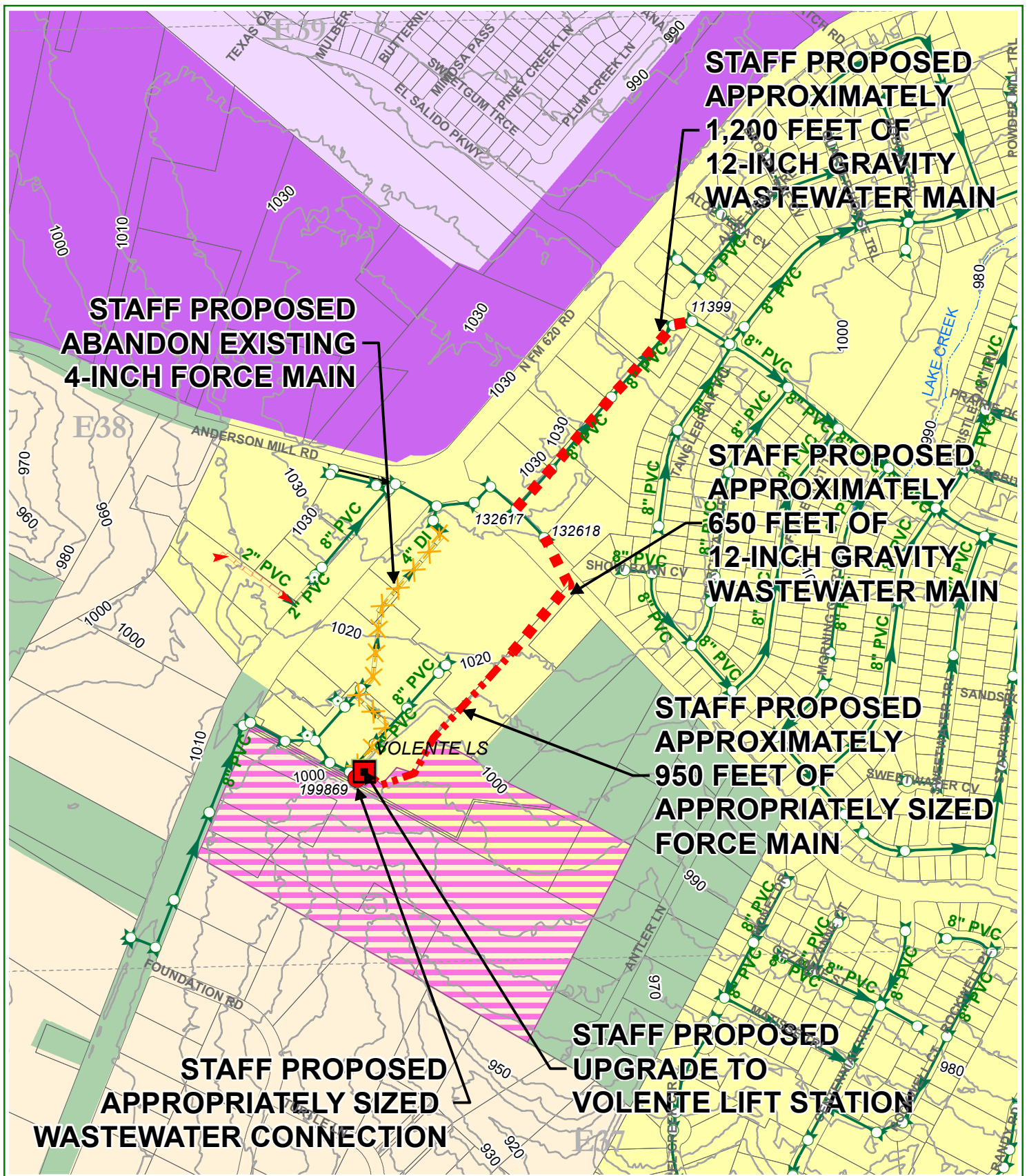
**W.W. S.E.R. Name: FM 620 and Anderson Mill Rd - Option 1**

**W.W. S.E.R. Number: 4652**

Utility Development Services Plotted 3/10/2021

Page 1 of 2

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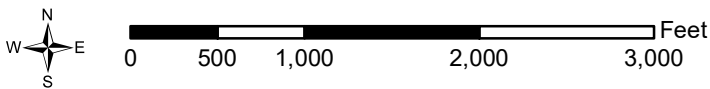
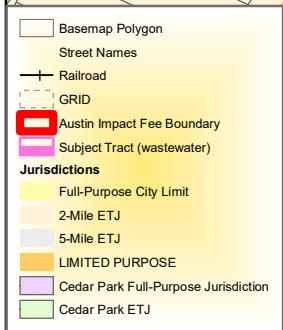
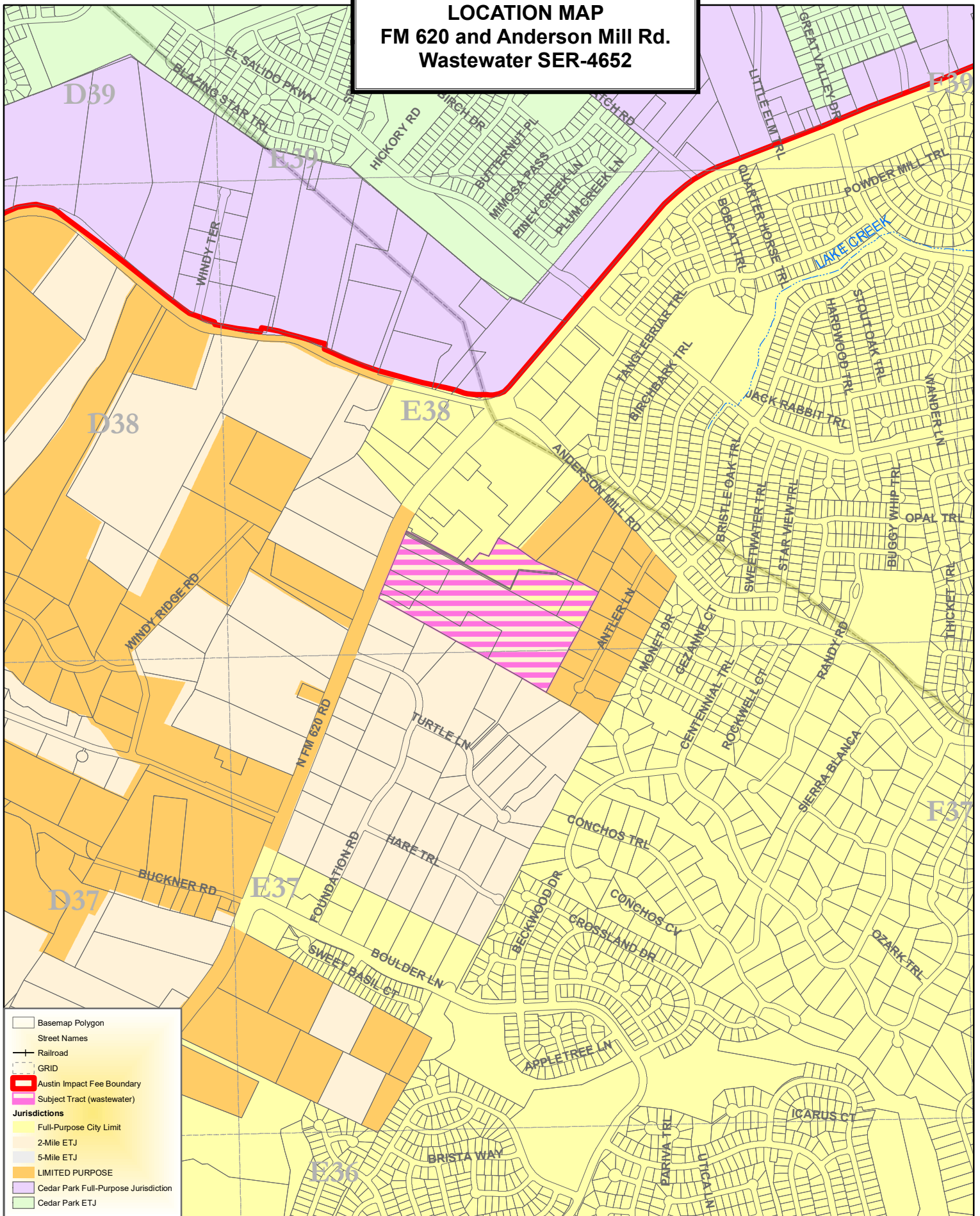
**W.W. S.E.R. Name: FM 620 and Anderson Mill Rd - Option 2**

**W.W. S.E.R. Number: 4652**

Utility Development Services Plotted 3/10/2021

- Subject Tract
- Full-Purpose City Limit
- 2-Mile ETJ
- Limited-Purpose City Limit
- Other City Limits
- Other ETJ

# **LOCATION MAP** **FM 620 and Anderson Mill Rd.** **Wastewater SER-4652**



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4/7/2021