

Municipal Utility District (MUD)

MUD-14-02

Cotton Center Municipal District #1



Summary: The applicant is requesting an amendment to the approved Consent Agreement for the Cotton Center Municipal Utility District #1 to change the requirement for creation of a Sub-District from two years to five years. (B. Melland)

Applicant: Metcalfe, Wolff, Stuart & Williams
221 W. 6th Street
Austin, TX 78701

Property Owners: Walton Development, LP
9811 S. IH-35, Building 3, Suite 4-200
Austin, TX 78744

Notification: Notice of Public Hearing was published on October 30th, 2016.

Response: No comments received as of the staff report date.

Property/Area Profile:

Legal Description: Approximately 2,358 acres out of the William Pettus League Survey

Location: Located north of Martindale to FM 1966 and east of the San Marcos Airport to State Highway 142.

Existing Use of Property: Undeveloped

Proposed Use of Property: Mixed-Use

Preferred Scenario Map: Area of Stability

Existing Zoning: Extra Territorial Jurisdiction (ETJ)

Proposed Zoning: N/A

Utility Capacity: The City of San Marcos will not provide water service to the site; however, the development may be served with wastewater service from the City of San Marcos. The property is located within Maxwell Water Supply Corporation and Martindale Water Supply Corporation service boundaries.

Area Zoning and Land Use Pattern:

	Zoning	Existing Land Use	Preferred Scenario
N of Property	Public (P)	Airport	Employment Center
S of Property	ETJ	Undeveloped	Area of Stability
E of Property	ETJ	Undeveloped	Area of Stability
W of Property	ETJ	Undeveloped	Area of Stability

Case Summary

On December 2, 2014, the City Council approved Ordinance 2014-70 approving a Consent Agreement for the formation of a Municipal Utility District (Cotton Center MUD #1) on the subject property. The MUD is anticipated to provide for the construction of a number of public improvements within the proposed Cotton Center development, including roads, water and wastewater infrastructure.

The Cotton Center Development is anticipated to be phased and consist of multiple Sub-Districts. Among the conditions of the approved Consent Agreement, is the requirement to create a Sub-District within twenty-four (24) months of the confirmation election of the original District. This election occurred in May of 2016, therefore the deadline to create a Sub-District is currently May of 2018

The applicant has requested this extension be considered simultaneously with the Development Agreement for this property. The applicant indicated that an additional three (3) years may be necessary to complete all of the requirements for creation of a Sub-District, which include:

- Submission of a Subdivision Concept Plat application within 180 days of creation of the Sub-District
- Assignment of Permitted Zoning Districts
- Submission of a Traffic Impact Analysis for a study area identified following a meeting with City Staff
- Submission of Oversize Construction Participation Agreements, as necessary
- Submission of an updated Concept Plan and Sub-District Map, as necessary
- Submission of a copy of the proposed Memorandum of Agreement for Fire & EMS Services

If approved, the request would extend the requirement to create a Sub-District from within twenty-four (24) months of the confirmation election, to within sixty (60) months of the election.

Planning Department Analysis

City Staff finds that the requested extension of the requirement to create a Sub-District from within twenty-four (24) months of the confirmation election, to within sixty (60) months of the election, is consistent with Chapter 70 of the City's Code of Ordinances. This extension would require a Sub-District to be created prior to May of 2021.

Staff recommends approval of this request to amend Ordinance 2014-70 and the associated consent Agreement.

Prepared by:

Brandon Melland, AICP

Senior Planner

November 2, 2016

Name

Title

Date