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## City Council Regular Meeting

**DEPARTMENT:** Development Services

**FROM:** Tony D. McIlwain, Development Services Director

**MEETING:** August 5, 2024

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**SUBJECT:**

Consider approval of a resolution granting consent to the creation of the Southard Farm Municipal Utility District No. 2 of Johnson County in the city of Burleson extraterritorial jurisdiction, subject to various terms and conditions. (*Staff Contact: Tony D. McIlwain, Development Services Director*)

**SUMMARY:**

On May 29<sup>th</sup>, city staff received a Petition for Consent for the Creation of the Southard Farm Municipal Utility District No. 2 of Johnson County. Staff has held two previous meetings with the developer. This project is located outside of the city limits, at 8113 CR 1014, which is west of the toll road and the development profile is contained in the table below.

The property is not contiguous to city limits, and a portion of the northernmost section of the site is located outside of Burleson's extraterritorial jurisdiction (ETJ). The development proposes a wastewater treatment plant and the city does not currently operate one. The city has 90 days (August 27<sup>th</sup>) from the May 29<sup>th</sup> petition receipt date to provide its written consent (either a resolution or ordinance) to the creation of the MUD.

| <b><u>Southard Farm Table 1</u></b>   |
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| ▪ Approximately 284 acres   |
| ▪ Approximately 1,300 to 1,400 lots single family residential lots              |
| ▪ Array of lot widths ranging from 40' to 60'                                   |
| ▪ Market is targeted to first-time (or 1 <sup>st</sup> time move up) homebuyers |
| ▪ Roughly 1/3 of land area dedicated to roadways, easements                     |
| ▪ MUD will  |
| ▪ Johnson Co SUD will provide water   |

If the city fails or refuses to grant the petition within 90 days, the applicant may petition the Council and request the city to make sanitary sewer service available to the subject property. If the city and the applicant fail to execute a mutually agreeable contract providing for sanitary sewer service within 120 days after receipt of the petition, the failure shall constitute authorization for the inclusion of the land in a MUD. While the city does hold the sewer certificate of convenience and necessity (CCN), there are no plans to extend sewer to this area.

The city cannot require annexation as a condition of consenting to the creation of the MUD. The MUD can be created without the city's consent and it would be reviewed and evaluated consistent with other ETJ developments.

**RECOMMENDATION:**

N/A

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

N/A

**REFERENCE:**

N/A

**FISCAL IMPACT:**

None

**STAFF CONTACT:**

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