

STAFF REPORT

To: City Council
From: Public Works – Engineering Services
Date: October 17, 2024
Re: Request for incorporation into City’s Wastewater Service Area of an 80.69-acre parcel of land, also known as Corley Tract, by Athena Domain, LLC. on behalf of Century Oaks, LLC.

SUMMARY:

The 80.69-acre parcel of land at 29580 Ralph Fair Road is a portion of a 160-acre undeveloped tract, known as the Corley Tract (**Exhibit A**), within the City of Fair Oaks Ranch. The current zoning (**Exhibit B**) for this property includes Neighborhood Residential, Mixed Use Village, and Logistics. Importantly, this tract is not located within any entity’s Certificate of Convenience and Necessity (CCN), which is also referred to as a certificated service area. A map from the Public Utility Commission of Texas (PUC) CCN Viewer is attached (**Exhibit C**).

Athena Domain, LLC, on behalf of the owner, Century Oaks, LLC, applied (**Exhibit D**) to incorporate the subject parcel into the City of Fair Oaks Ranch Wastewater CCN. Following the same process for Water CCN incorporation, the City Engineer determines the use and intensity of wastewater generation reasonably anticipated based on an examination of the master plan and makes recommendations to the City Council on the amount of wastewater infrastructure necessary to support the development, annexation or CCN extension.

SITE HISTORY:

The Corley Tract was annexed in 2017. The associated service plan stated that the City may provide water and wastewater services, or the property could remain uncertificated (no CCN). To date, the property has remained uncertificated.

In 2018, the City adopted zoning, inclusive of a zoning map and zoning regulations for each district. Although primarily zoned Neighborhood Residential, a portion of the Corley Tract nearest the FM3351 and Dietz Elkhorn intersection was zoned Mixed Use Village to encourage a mix of uses and pedestrian scale development at major transportation nodes. A portion of the Corley Tract was also zoned Logistics to provide an area in the City for appropriately scaled office-warehouse and light industrial or commercial uses.

In 2022, a rock and concrete crushing business leased the property for a short period of time. The business relocated after being notified that industrial and heavy manufacturing were not permitted uses in accordance with zoning regulations.

On August 30, 2024, Athena Domain, on behalf of Century Oaks, LLC, submitted a formal request for incorporation into the City’s Wastewater Service Area.

On October 1, 2024, the applicant submitted a revised master plan reflecting 139 LUEs for the proposed development to align with the City’s Water, Wastewater and Reuse Master Plan.

No other development-related or rezoning applications have been received, and there are no other pending applications for the property.

REASON FOR THE REQUEST:

The 80.69-acre tract is not located within any entity’s Wastewater CCN. The applicant has requested incorporation into the City’s CCN.

STAFF ANALYSIS:

In 2019, the City adopted the current Water, Wastewater, and Reuse Master Plan. The Plan identified existing and future conditions based on land use assumptions, estimated number of connections for undeveloped parcels, and recommended short, intermediate and long-term capital improvement projects to support the growth of the City in accordance with TCEQ regulations for public wastewater systems. For future wastewater flow projections, the Master Plan uses 160 gallons per connection per day.

The Master Plan allocated a total of 215 connections or Living Unit Equivalents (LUEs) for the subject 160-acre parcel (**Exhibit E**). The Plan also identified future wastewater infrastructure in and around the subject parcel (**Exhibit F**). Based on this, the City planned to provide wastewater service to this parcel as part of the City’s eventual build out.

The following is a summary of the developer’s master plan and estimated wastewater generated:

Phase 1	Units	Wastewater Connections (LUEs)	Wastewater generated using 160 gal per connection daily
Neighborhood Residential (1 acre lots)	20	20	3,200 gal
Mixed Use Village	4	8	1,280 gal
Logistics (Townhomes) and Amenity Center	216	109	17,440 gal
Total		137	21,920 gal

The following is not part of the developer’s master plan but included for planning purposes only. Staff assumes Phase 2 may include single-family homes in the Neighborhood Residential District, and townhomes in the Logistics District with similar density as proposed in the developer’s Master Plan for Phase 1. The calculations show that the total

LUEs for both Phase 1 and 2 equals 211 which is less than the number of LUEs allocated for the Corley Tract in **Exhibit E**.

Phase 2	Units	Connections (LUEs)	160 gal per connection daily
Neighborhood Residential (1 acre lots)	37	37	5,920 gal
Logistics (Townhomes)	74	37	5,920 gal
Total		74	11,840 gal

According to the Water Wastewater and Reuse Master Development Plan, 160 gallons per connection per day was used based on historical flows. For purposes of analysis, each single-family residential home is considered 1.0 connection, and each townhouse is considered 0.5 connection. Based on this, the proposed development totals 137 connections which will generate 21,920 gallons of wastewater per day.

The permitted capacity of the wastewater treatment plant is 500,000 gallons per day and current average daily flow is 300,000 gallons per day. The plant can handle the additional 21,920 gallons per day generated by the project. Other infrastructure improvements such as the Cojak Circle Manhole and Sewer Upgrade will need to be completed prior to connection of the proposed development to the City's collection system. Since this upgrade project will directly benefit the proposed development, it is a potential cost-share opportunity for the developer and City.

PUBLIC NOTICES/COMMENTS:

N/A

CRITERIA FOR REVIEW:

The City Engineer will provide detailed information regarding the current capacity of the existing wastewater system infrastructure and will determine if the proposed development can be supported. The City Council will make the final decision on the City Engineer's recommendations.

STAFF RECOMMENDATION:

Based on evaluation of the proposed Master Development Plan, reflecting primarily townhomes with some single-family residential and commercial uses, staff recommends granting the request for Wastewater CCN extension based on anticipated wastewater generation by the proposed development and available wastewater treatment plant capacity, subject to approval of the proposed Master Development Plan.

Exhibits

Exhibit A - Location Map

Exhibit B – Zoning Map

Exhibit C – PUC Wastewater CCN Map

Exhibit D – Developer Application Documents

Exhibit E – Wastewater Connection Planning Area Map

Exhibit F – Wastewater System CIP Improvement Plan Map