



---

## CITY COUNCIL CONSIDERATION ITEM

### CITY OF FAIR OAKS RANCH, TEXAS

---

**AGENDA TOPIC:** Consideration and possible action approving a resolution to incorporate an 80.69-acre parcel of land at 29580 Ralph Fair Road, a portion of the Corley Tract, into the City of Fair Oaks Ranch Wastewater Certificate of Convenience and Necessity (CCN).

**DATE:** October 17, 2024

**DEPARTMENT:** Public Works – Engineering Services

**PRESENTED BY:** Grant Watanabe, P.E., CFM, Director of Public Works and Engineering Services

---

#### **INTRODUCTION/BACKGROUND:**

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, within the City of Fair Oaks Ranch. The current zoning 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.

Athena Domain, LLC, on behalf of the owner, Century Oaks, LLC, applied to incorporate the subject parcel into the City of Fair Oak 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. Following the examination, he will make recommendations to the City Council on the amount of wastewater infrastructure capacity is necessary to support the development or CCN extension. Analysis of the developer’s master plan, anticipated wastewater generation, and available wastewater infrastructure capacity is included in the attached staff report.

The permitted capacity of the wastewater treatment plant is 500,000 gallons per day and the 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.

The proposed Master Development Plan consists of 20 single-family residential units, 216 townhomes, and four Mixed Use Village lots. Based on evaluation of the plan, staff recommends granting the request for Wastewater CCN extension based on anticipated wastewater generation by the proposed development and available wastewater capacity, subject to approval of the developer’s master plan.

Should the request for Wastewater CCN extension be approved, the Planning and Zoning Commission will consider the proposed Master Development Plan at a future meeting. The City Council is the approval authority on the Master Plan. In addition, staff plans to present a wastewater service agreement at a later date to memorialize the number of units, LUEs, related

fees, and any cost-sharing arrangement for off-site infrastructure upgrades prior to submission of an application to the Public Utility Commission of Texas to amend the City's wastewater CCN.

**POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:**

- Supports Priority 2.1 of the Strategic Action Plan to Manage the Physical Development of the City in accordance with the Comprehensive Plan.

**LONGTERM FINANCIAL & BUDGETARY IMPACT:**

Incorporating the proposed property into the City's Wastewater CCN will increase the utility customer base and allow development that aligns with the City's Comprehensive Plan, zoning regulations and permitted uses for the property. There are also potential opportunities to cost-share infrastructure improvements such as the Cojak Circle Manhole and Sewer Upgrade.

**LEGAL ANALYSIS:**

The City Attorney has reviewed the resolution and approved it as to form.

**RECOMMENDATION/PROPOSED MOTION:**

I move to approve a resolution to incorporate a 80.69-acre parcel of land at 29580 Ralph Fair Road, into the City of Fair Oaks Ranch Wastewater Certificate of Convenience and Necessity (CCN), subject to approval of the proposed Master Development Plan.