

SAY NO TO THE HAYS COMMONS DEVELOPMENT

COMMUNITY INFORMATIONAL

PRESENTED BY HAYS COMMONS COALITION



SBCA

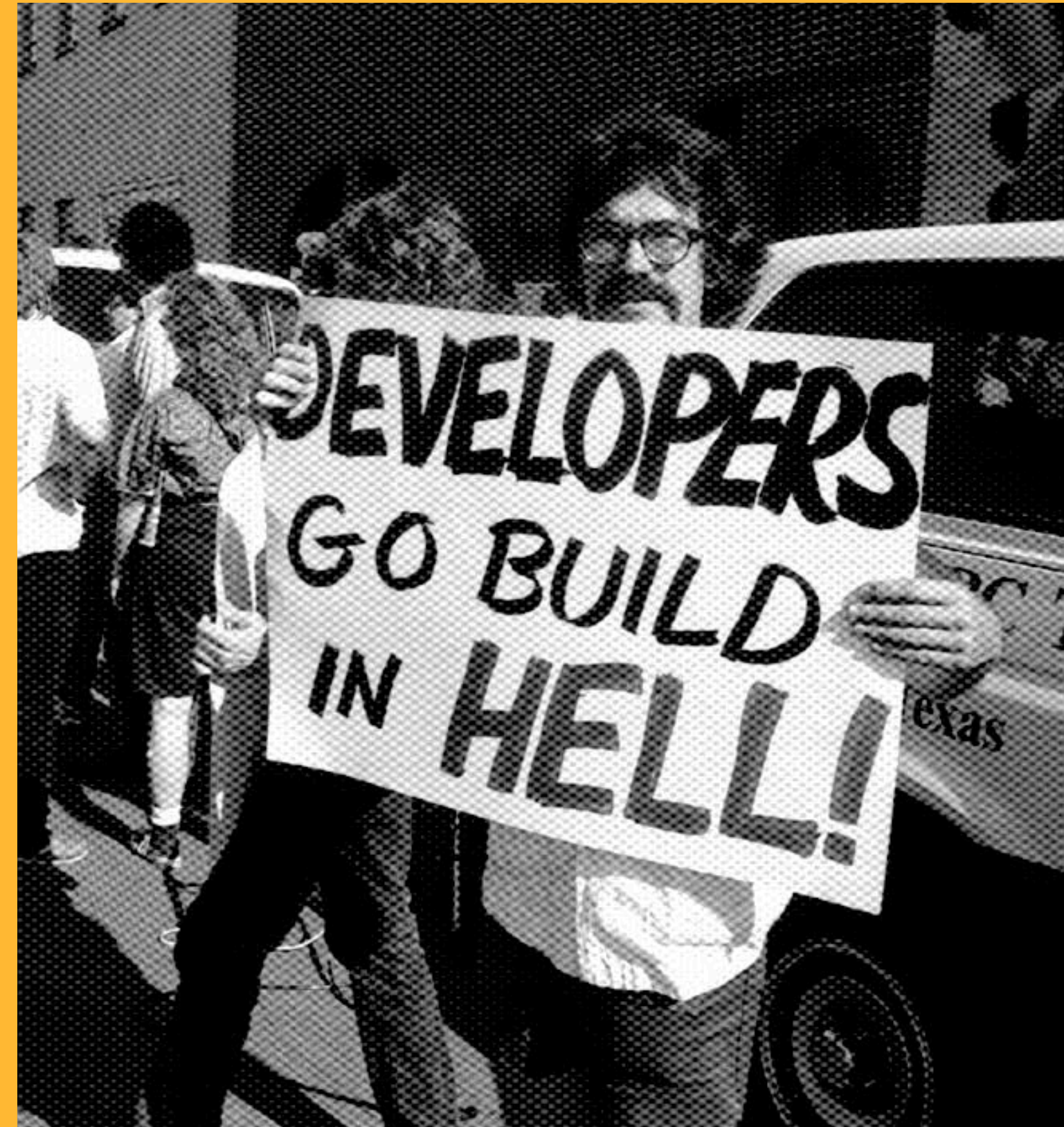
GEAA



AUSTIN REGIONAL GROUP
SIERRA
CLUB

& SEVERAL RESIDENTS OF HAYS COUNTY

JANUARY 7, 2025



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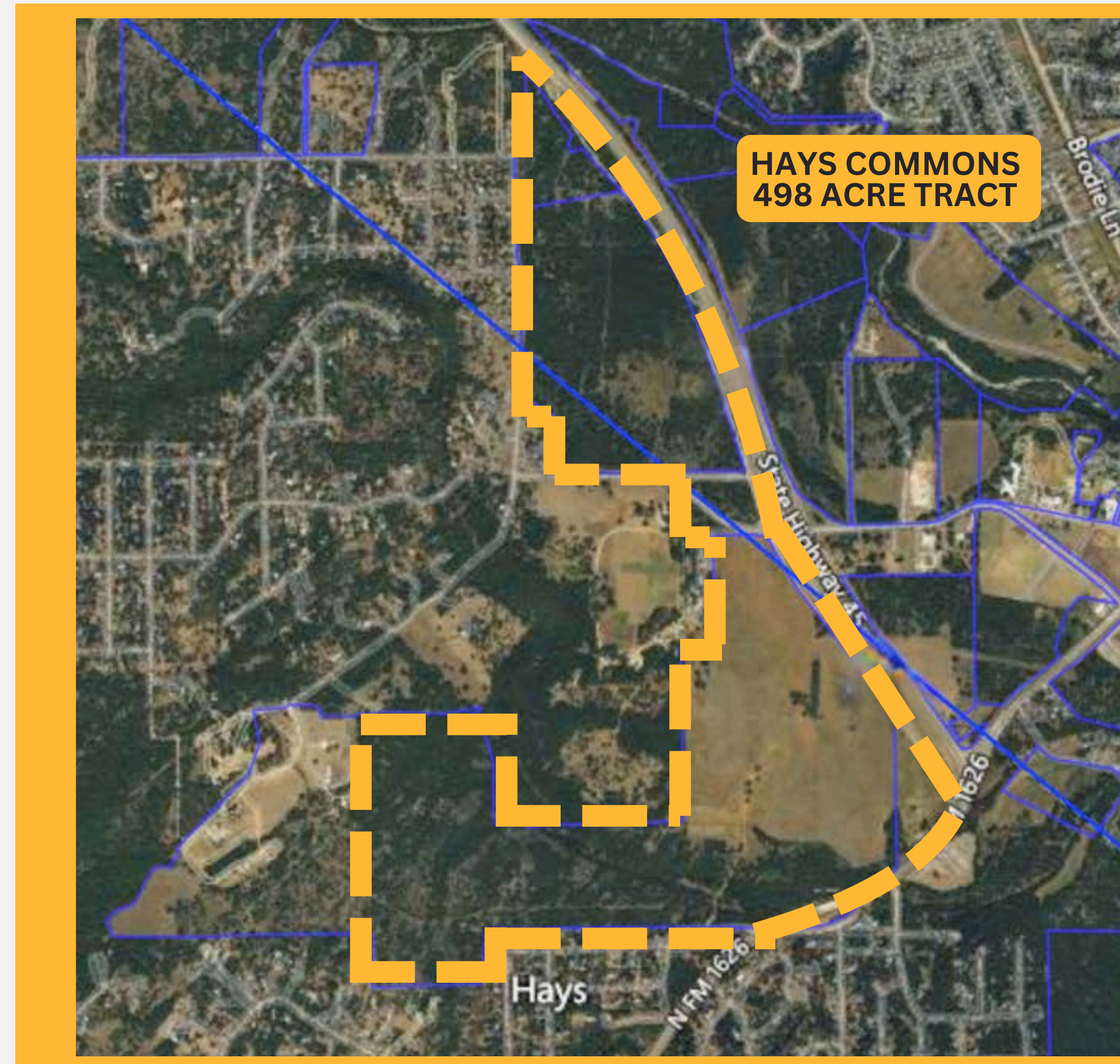
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PROJECT BACKGROUND

HAYS COMMONS DEVELOPMENT

Milestone Community Builders (Milestone) is proposing a 498-acre development located in southwest Austin, near the intersection of I-45 and FM 1626. The plan includes:

- 700 single-family homes,
- **x acres** of commercial space,
- 160-acre conservation area,
- 4 acres of public trail “connectivity,”
- projected population ~2,500.



COMPLEX JURISDICTION

HAYS COMMON'S COMPLEX JURISDICTION

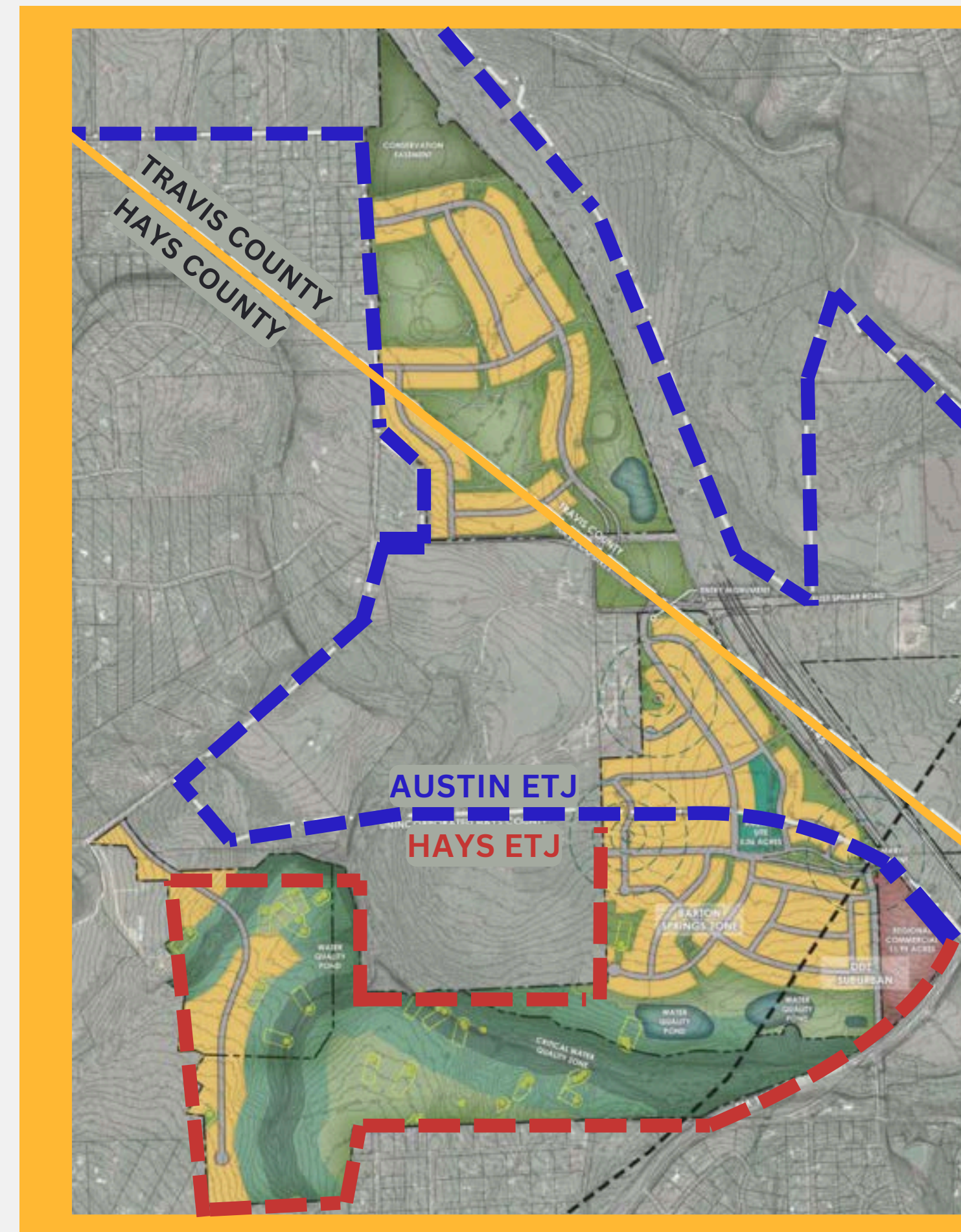
- City of Austin ETJ: xxx AC
- City of Hays Unincorporated: xxx AC

WHAT IS EXTRATERRITORIAL JURISDICTION (ETJ)?

An area outside city limits, where the city has limited authority to regulate development. This minimizes sprawl and immediate infrastructure expansions.

WHAT IS SENATE BILL 2038 (SB2038)?

A Texas Senate bill that passed in September 2023. The bill allows property owners to release their land from its current ETJ. If a city annexes the land, it assumes authority over design regulation and is responsible for municipal services.



ENVIRONMENTAL FEATURES

HAYS COMMON'S ENVIRONMENTAL FEATURES

- Many wetlands and karsts along Little Bear Creek.
- Majority of the site sits over the Edwards Aquifer Recharge Zone (EARZ), which triggers SOS Ordinance.

WHAT IS THE EDWARDS AQUIFER RECHARGE ZONE?

Rainwater seeps through the recharge area to refill the Edwards Aquifer— one of Central Texas' most vital water sources. ***It's highly sensitive!*** Any level of pollution affects groundwater quality and quantity.

WHAT IS A KARST?

A geologic formation made from porous rocks which leads to the development of features like caves, springs, and sinkholes. The Edwards Aquifer is a karst formation.

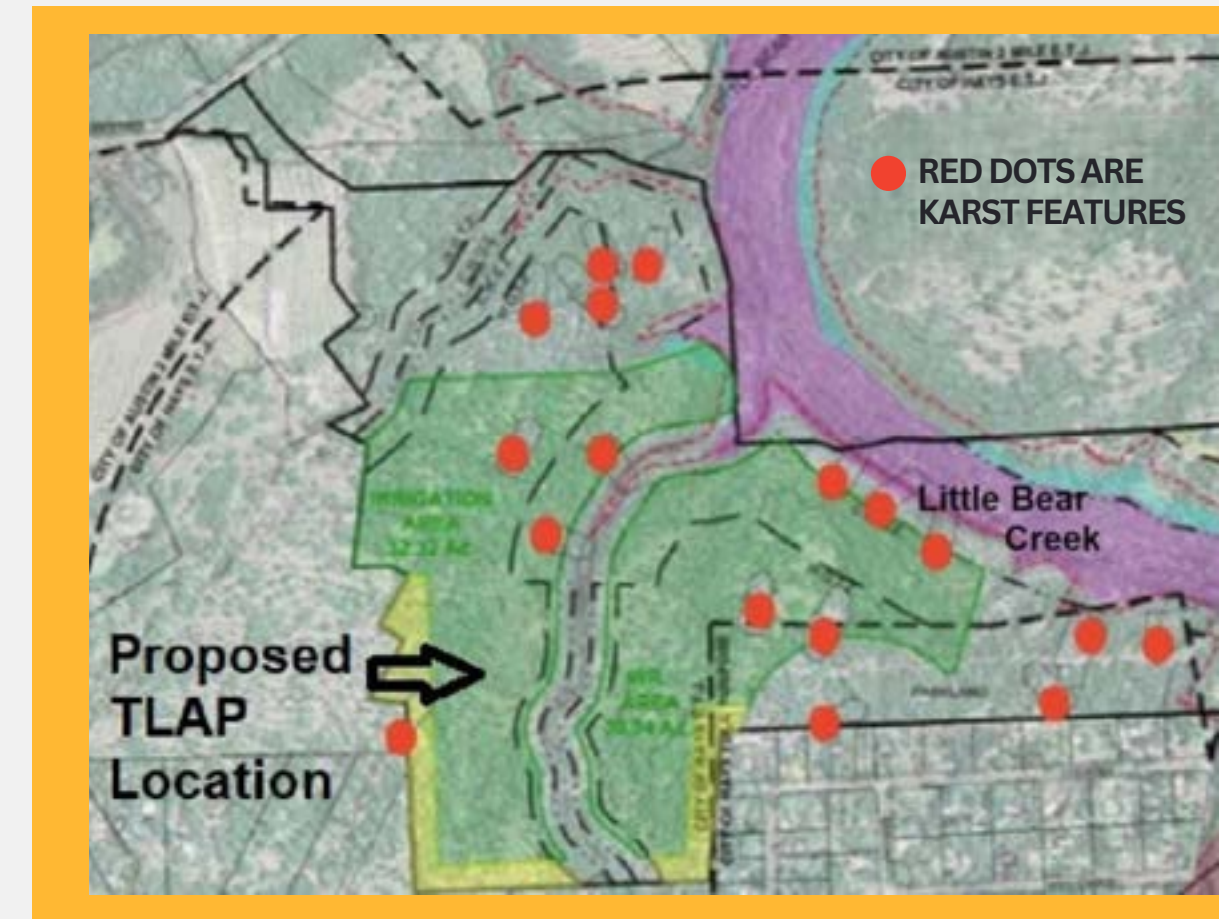


Image: [Letter](#) from GEAA to TCEQ regarding TLAP



IMPORTANCE OF SOS ORDINANCE

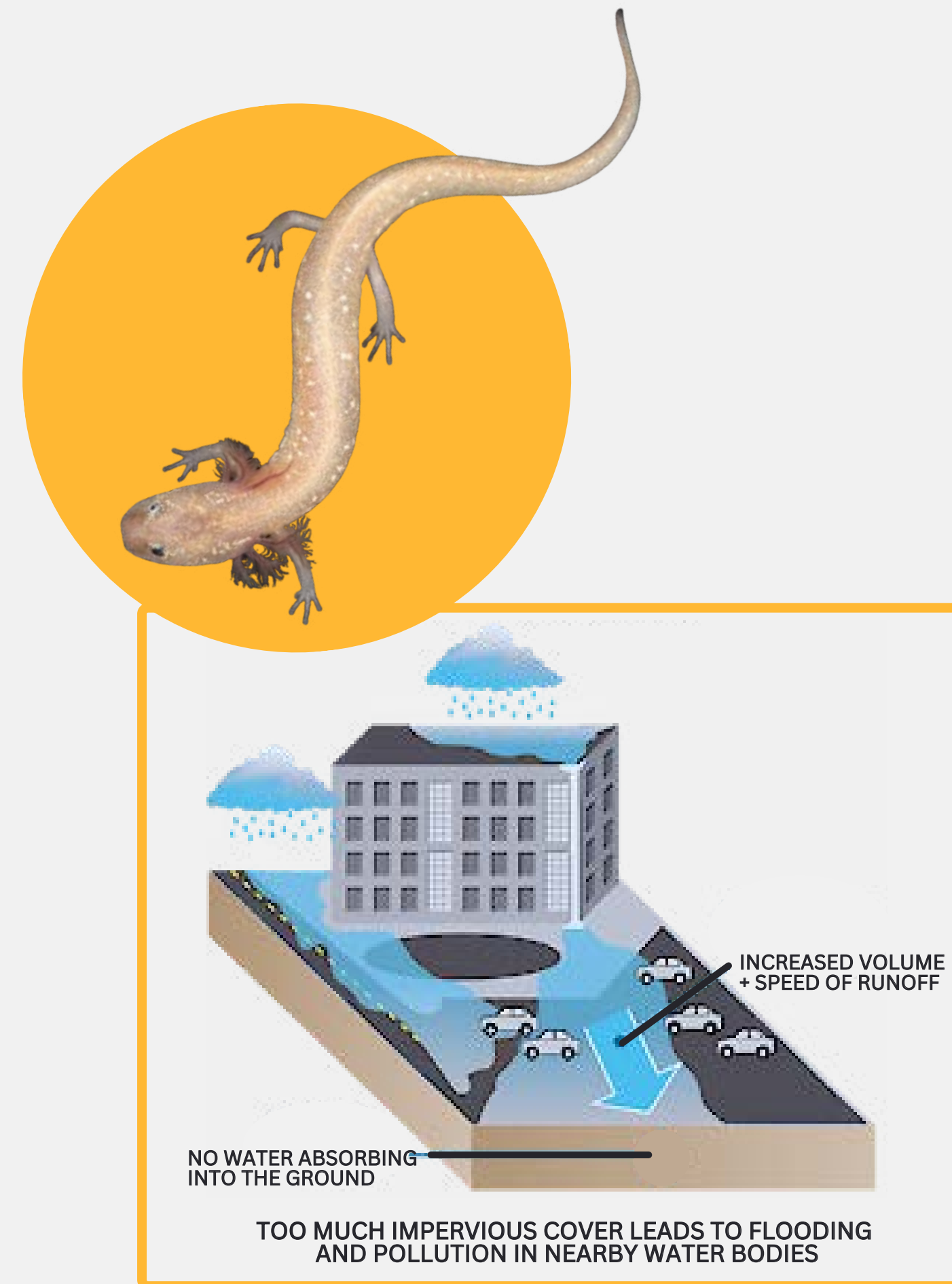
WHAT IS THE SAVE OUR SPRINGS (SOS) ORDINANCE?

A COA land development code that was adopted in 1992 through the collective power of over 900 Austinites. It enforces water quality requirements and impervious cover limits to reduce pollution in areas within Edwards Aquifer.

The ordinance protects the water quality of Edwards Aquifer that feeds Barton Spring Pool and endangered species (like the Austin Blind Salamander) living within these aquatic habitats.

WHAT IS IMPERVIOUS COVER (IC)?

Non-porous surfaces (e.g., roads, roofs, driveways, parking lots) that create runoff when rainwater cannot absorb into the ground.



MILESTONE'S THREATS

OPTION 1: MAXIMUM DEVELOPMENT

OPTION 2: ENVIRONMENTALLY SUPERIOR

JURISDICTION

Milestone to remove remainder of site from COA ETJ and incorporate into City of Hays

Milestone to annex the entire tract into the COA as a MUD

IMPERVIOUS COVER (IC) LIMITS

- Travis County (145 AC): up to 45 percent
- City of Hays (353 AC): no IC limit

- COA SOS Ordinance (xx AC): up to 15 percent
- SOS Ordinance Amendment (xx AC): up to 25 percent

WATER QUALITY

TCEQ requires runoff to be treated to 80 percent removal of Total Suspended Solids (TSS)

COA requires runoff to be treated to 100 percent removal of Total Suspended Solids (TSS)

WATER

Pump from three existing wells. Permit required from Barton Springs-Edwards Aquifer Conservation District (BSEACD)

Service Extension Request (SER)

WASTEWATER

Onsite treatment plant or septic tanks, both require TLAP

Service Extension Request (SER)

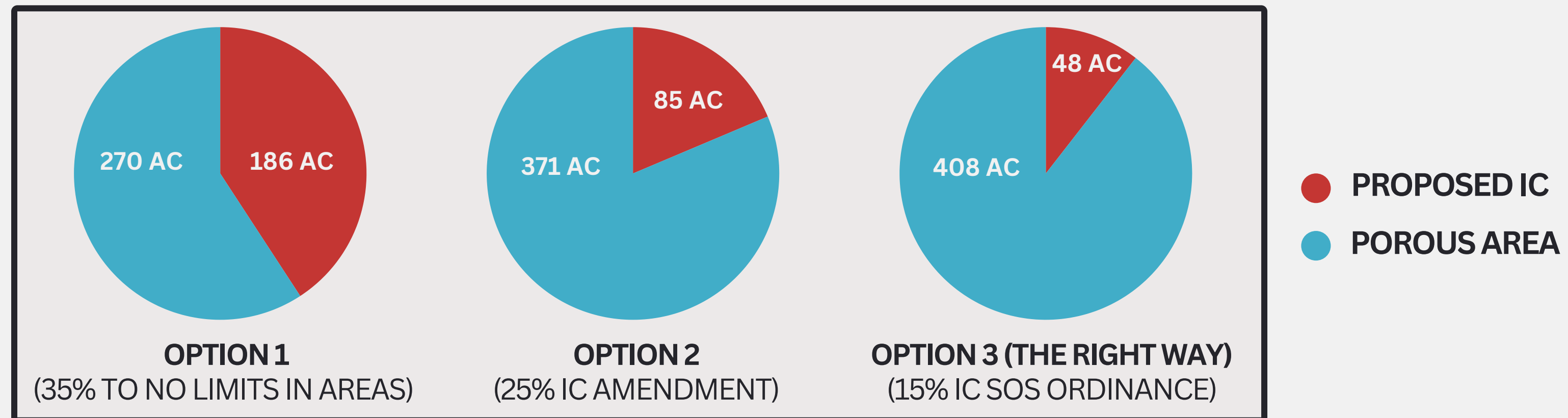
WE ARE ESSENTIALLY BEING TOLD: DO IT OUR WAY OR WE WILL DO IT WORSE!

MILESTONE'S THREATS (CONT.)

Milestone's threat to leave COA ETJ is a *negotiation ploy* that lacks credible alternatives.

1. They don't have the resources to service water and wastewater for the proposed density.
2. They'll likely face regulatory hurdles to go the well and TLAP route.

Austin holds the stronger hand and must take a firm stand to protect the integrity of the SOS Ordinance— reaffirming the city's commitment to preserving our natural resources.



PROPOSED ALTERNATIVE

SELL PROPERTY TO AUSTIN AS CONSERVATION LAND

Milestone should sell the entirety of the Hays Commons property to Austin for conservation designation as part of the Water Quality Protection Lands program.

This would ensure permanent protection of environmentally sensitive features, especially the Edwards Aquifer Recharge Zone, critical karsts, wetlands, and endangered species. Selling to the city aligns with conservation and water quality protection goals while also allowing Milestone to recover their investment.

THIS MATTERS TO YOU!

SETS A DANGEROUS PRECEDENT

If Austin allows Milestone to amend the SOS Ordinance, it will set a dangerous precedent for future developers to use this strategy for other sites that lie on environmentally sensitive areas.

CALL TO ACTION!

VOICE YOUR OPPOSITION!

WHAT: COA Planning Commission Meeting

WHEN: Tuesday, January 14, 6 PM

WHERE: City Hall, 301 W 2nd Street

CAN'T MAKE IT IN PERSON?

Email the Planning Commissioners

BARTON SPRINGS AT RISK

Barton Springs' water quality is also at risk, with the groundwater paths known to flow from Hays Commons into Barton Springs.



HAYS COMMONS COALITION



“It’s not Austin’s job to help Milestone figure out how to pad their bottom line.”

-Mike Clifford, GEAA



“We’ve never seen an investor ask for *MORE* impervious cover... even for the Barton Springs Pool, we require *REDUCTIONS* of impervious cover. With [the history of] SOS amendments, we drive a hard bargain— let’s not give it away.”

-Bobby Levinski, SOS Alliance



“It only takes one unwise decision to undo decades of good work. If this [amendment] were to go through, it would be very difficult, if not impossible undo it... if [unexpected] things happen, which we know occurs frequently in these types of situations, it would open a pandora’s box.”

-Lee Burton, SBCA



How do you believe our storm stormwater infrastructure would hold out under that level of stress? Yet here we are arguing over allowing more impervious cover, building more water use and sewer systems, and allowing more intensive development over the Barton Springs watershed.”

-Craig Nazor, Sierra Club Lonestar Chapter



Q+A

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THANK YOU!

TO POSSIBLY ADD:

- Watershed Protection Department is recommending this amendment in fear of the developer pursuing option 1, which is a much less strict design criteria

TLAP: A permit issued by Texas Commission on Environmental Quality (TCEQ) to allow treated wastewater to be applied to land via irrigation instead of being discharged into waterways.

TIMELINE

