



City Council Agenda Item Report

January 15, 2013

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SUBJECT: PRESENTATION AND DISCUSSION WITH DIRECTION TO STAFF REGARDING THE CITY OF BUDA'S GROWTH PLAN.

1. BACKGROUND/HISTORY

At the January 18, 2011 and January 3, 2012 Council meetings, staff presented a proposed ranking of areas to be annexed followed by the city's current allotment of land to annex as prescribed in Section 43.055 of the Texas Local Government Code.

From the 2012 meeting, Council provided staff direction to concentrate on the Centex/Lehigh area and unincorporated areas along the I-35 corridor including the following:

1. Texas Lehigh
2. Area north of Park 35 South (Lifschutz Remainder)
3. Limited Purpose Annexation areas associated with South Buda WCID
4. Kimbro Property (967/1626)
5. Northwest corner of Interstate 35/Main Street

The first four listed above were completed. The Northwest corner of Interstate 35/Main Street was not annexed, but two areas were voluntarily annexed: the future site for Onion Creek Food Mart and a portion of the Green Corners commercial property located in front of Green Meadows subdivision.

In total, 1,014.02 acres were annexed in 2012. Of that, 430.93 acres were annexed involuntarily in 2012, while 491.13 acres were annexed voluntarily. 91.96 acres were annexed for limited purposes. This represents a 27% increase in the City of Buda land area, reaching 7.38 square miles including limited purpose areas.

2. FINDINGS/CURRENT ACTIVITY

Going into the 2013 calendar year, the city will be looking at approximately 1,417.24 acres available for involuntary full-purpose annexations. Properties with agricultural exemptions are also shown on the map. State law requires that the City offer a development agreement prior to annexation that allows the property to avoid annexation provided it remains agricultural. If the use converts or a

permit is submitted, it becomes an automatic consent to voluntary annexation. The City most recently entered into such an agreement with Truck City Ford for the portion of their property that was agriculturally exempt.

The following prioritized list is based upon prior direction given by City Council in 2011 and 2012:

1. South FM 967 (portions voluntary per development agreements)
2. IH-35 Southeast
3. Truck Bypass Industrial
4. North IH 35
5. Hale Property (Voluntary per South Buda WCID Consent Agreement)
6. South Buda WCID Commercial (Voluntary per South Buda WCID Consent Agreement)
7. Dollar Tile
8. Main Street North (will require development agreement offer first)
9. Chitwood (Cullen Country Donut)
10. Kelly Smith (portion will require development agreement offer first along with Austin ETJ release)
11. FM 1626 West (portion will require development agreement offer first)
12. Gymnasium East of IH 35 (portion will require development agreement offer first)
13. Creekside South (will require development agreement offer first)
14. Creekside East (portion will require development agreement offer first)
15. Garrison North Property
16. Old Black Colony
17. Kennel
18. Madden Masonry Co. (Donut)
19. PEC Substation (Donut)
20. Property near Buda Elementary (Donut)
21. Coves of Cimarron
22. Centex Materials

All 22 proposed areas can be annexed within the 1,417 acre allotment. Staff would discourage pursuit of Centex Materials given knowledge of water capacity requirements. Also, properties occupied by residents can introduce additional complexity to the annexation process. Likewise, agriculturally-exempt properties require an additional step of offering a development agreement. Finally, some concern would be survey costs as each survey averages between \$1,500- \$3,000 depending on the size of tract. While funds were budgeted for substantial annexations this year, it may not cover all priorities. Likewise, annexation can be a time-consuming pursuit for both city staff and the City Council. Staff proposes moving forward with annexations & development agreements in rough priority order until the budgeted amount of \$63,900 is exhausted.

To that end, staff has developed the following annexation schedules that result in no need for special-called City Council meetings. Staff could bring all annexations for the year at a single meeting, or break them into multiple windows.

1st Window (77 total days)

2/19/13 Initiating Resolution
 3/1/13 Owner/Entity Notice Mailed
 3/20/13 1st Hearing Notice Pub.
 4/2/13 1st Public Hearing
 4/3/13 2nd Hearing Notice Pub.
 4/16/13 2nd Public Hearing
 5/7/13 1st Ordinance Reading
 5/21/13 2nd Ordinance Reading

2nd Window (77 total days)

5/21/13 Initiating Resolution
 5/31/13 Owner/Entity Notice Mailed
 6/19/13 1st Hearing Notice Pub.
 7/2/13 1st Public Hearing
 7/3/13 2nd Hearing Notice Pub.
 7/16/13 2nd Public Hearing
 8/6/13 1st Ordinance Reading
 8/20/13 2nd Ordinance Reading

3rd Window (77 total days)

8/20/13 Initiating Resolution
 8/30/13 Owner/Entity Notice Mailed
 9/18/13 1st Hearing Notice Pub.
 10/1/13 1st Public Hearing
 10/2/13 2nd Hearing Notice Pub.
 10/15/13 2nd Public Hearing
 11/5/13 1st Ordinance Reading
 11/19/13 2nd Ordinance Reading

4th Window (84 total days)

10/15/13 Initiating Resolution
 11/1/13 Owner/Entity Notice Mailed
 11/20/13 1st Hearing Notice Pub.
 12/3/13 1st Public Hearing
 12/4/13 2nd Hearing Notice Pub.
 12/17/13 2nd Public Hearing
 1/7/14 1st Ordinance Reading
 1/14/14 2nd Ordinance Reading

3. FINANCIAL IMPACT

N/A

4. ACTION OPTIONS/RECOMMENDATION

This is an annual agenda item at the request of Council to provide direction to staff.

5. ENCLOSURES

- Proposed 2013 Growth Plan Map
- 2013 Allowable Annexation Area Table