



City Council Agenda Item Report

June 4, 2013

Contact – Chance Sparks, AICP, CNU-A, Director of Planning
512-312-0084 / csparks@ci.buda.tx.us

SUBJECT: DELIBERATION AND POSSIBLE ACTION IN REGARD TO AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF BUDA TO ESTABLISH THE INITIAL ZONING, PROPOSED AS LIGHT INDUSTRIAL & WAREHOUSING (I1), ON APPROXIMATELY 1.00 ACRES OF LAND SURROUNDED BY THE CURRENT CITY OF BUDA CITY LIMITS, LOCATED EAST OF THE UNION PACIFIC RAIL ROAD, NORTH OF PRECISION DRIVE, WEST OF SOUTH FM 967/SOUTH LOOP 4/SOUTH MAIN STREET AND SOUTH OF WINDMILL WAY.

1. BACKGROUND/HISTORY

This is the public hearing for amending the official zoning map of the City of Buda to establish the initial zoning on approximately 1.00 acre of land surrounded by the current City of Buda City Limits, located east of the Union Pacific Rail Road, north of Precision Drive, west of South FM 967/South Loop 4/South Main Street and south of Windmill Way. This public hearing is being held in accordance with the requirements of Texas Local Government Code and the City of Buda Unified Development Code as they pertain to public hearings for zoning changes.

The proposed tract was annexed on April 30th in accordance with the City's Growth Plan. Once annexed, the property defaults to AG-Agricultural unless a separate initial zoning ordinance follows the annexation. This agenda item is for the initial zoning of the above listed property, more particularly shown in the attached maps.

2. FINDINGS/CURRENT ACTIVITY

The subject lot is currently developed for a commercial/industrial use with an existing building and drive area, with vehicular access taken from South Loop 4. Existing uses would be allowed to continue. Any legally non-conforming uses would be subject to the requirements of the City's Unified Development Code regarding legally non-conforming uses. Generally speaking, legally non-conforming uses can continue to operate, but are not allowed to expand the degree of the non-conforming use.

The subject lot is entirely surrounded by land that is already incorporated and zoned, forming a donut hole of territory without any land use regulations in place. The surrounding land is designated as Light Industrial (I1) for the purpose of land use regulation, and the subject 1.00 acre parcel is proposed to be designated the same.

The I1 zoning designation is being proposed in order to be consistent with existing, adjacent land uses and the Future Land Use Map as found in the most recent Comprehensive Plan. The Future Land Use Map identifies this lot as being within the Industrial Growth District and therefore the I1 zoning designation appears to be most appropriate for the purpose of land use regulation. The Comprehensive Plan also identifies these areas as being within the larger Business Node, which is intended to develop as an area of primarily business type uses. This specific area of the city has historically been utilized for business activity which tends toward industrial uses.

At this time, none of the City's overlay zoning districts apply to this subject lot.

The following figure from the Comprehensive Plan discusses compatibility of development types with each land use character district:

	Development Type										
	Mixed Use	Regional Retail Center	Neighborhood Shopping Center	Office	Industrial Park or Distribution Ctr	Low Density Single Family & Agriculture Uses (> 1 acre)	Medium Density Single Family (0.25-1 acre)	High Density Single Family (<0.25 acre)	Attached Housing	Multifamily (for sale or rent units)	Cluster Development
CHARACTER DISTRICTS											
Green Growth District	●	×	●	●	×	○	●	●	●	○	●
Emerging Growth District	●	○	●	●	×	○	●	●	●	○	●
Heritage District	●	×	●	●	×	×	●	●	●	○	○
Industrial Growth District	○	×	×	○	●	○	×	×	×	○	○
Business Growth District	●	○	○	●	○	×	×	○	○	○	○
Interstate Corridor	●	●	×	●	○	×	×	×	×	●	×
MIXED USE NODES											
Neighborhood Node	●	×	●	●	×	×	○	○	●	●	○
Community Node	●	×	×	●	×	×	×	○	●	●	○
Business Node	●	×	×	●	●	×	×	×	○	●	×
Regional Node	●	●	×	●	×	×	×	×	×	●	×
Downtown Node	●	○*	●	●	×	×	○	○	○	●	×
● Appropriate ○ Conditional × Not Appropriate											

Notes:

* Regional retail in the downtown node would include destination shops such as antique shops and other destination boutique stores.

City Council will conduct their required public hearing and consider the first reading of the initial zoning ordinance at their June 4th, 2013 meeting.

3. FINANCIAL IMPACT

The proposed tracts fall within the City of Buda's water service area, therefore, water shall be provided by the City of Buda (property owner to pay for any extension necessary). Wastewater service is currently provided through privately-owned on-site sewage facilities (OSSF); however, the City of Buda has sufficient capacity to provide sanitary sewer to the areas should the property owner, at the expense of the owner, want to tie in. Wastewater collection is located on South Loop 4.

The property will be subject to property tax and sales tax upon annexation. The property will be assessed property tax for 2014, but revenues will not be collected until 2015. Based on current appraised value and the city's current 0.2713 ad valorem tax rate, the resulting tax benefit to the City is \$339 (not including sales tax). Sales tax revenue will be collected immediately upon annexation and notification will be sent to the Comptroller's office. This annexation area includes a property that currently produces sales tax revenue. As Council is aware, the state allows cities to collect 2 cents in sales tax; however, the city's collection in sales tax for general fund purposes is at a ½ cent due to the following breakdown: County- ½ cent, ESD #8 - ½ cent, Buda Economic Development Corp (4B)- ½ cent, and City of Buda - ½ cent.

4. ACTION OPTIONS/RECOMMENDATION

This is the public hearing for public comment only – the City Council shall not take action at this time. City Council should allow any interested parties to enter into the record any oral or written comments regarding the matter at hand.

Deliberation and possible action regarding the initial zoning of the subject land will be considered under Regular Agenda.

5 ENCLOSURES