



Agenda Item Report

Legislative Board: City Council
Date: March 24, 2026
Contact: Angela Kennedy, Director
Agenda Item ID / Number: 2026-274- / H.9

ITEM TITLE: Approval authorizing the City Manager to execute a Right-of-Way License Agreement between the City of Buda and Bailey Community Development, Inc. for the placement of landscaping, lighting, signage, furnishing, and other improvements within the City Right-of-Way in the Persimmon Subdivision (Development Services Director / City Engineer Angela Kennedy, P.E., CFM)

1. EXECUTIVE SUMMARY

The Persimmon project proposes to install improvements in the public right-of-way within the development including plantings, irrigation, lighting, hardscape, signage, furnishings and mail kiosks. This license agreement between the City and Bailey Community Development, Inc. would ensure that the improvements will be maintained by the Licensor.

2. BACKGROUND/HISTORY

The Persimmon Development Agreement, approved by City Council in June 2024, authorizes the construction of 2,300 residential dwellings within 774.24 acres of property off of RM 967. Construction of Phase 1 Section 1 of the development started in February 2025. Phase 1 Section began construction in March 2025. A portion of the roads in Persimmon Phase 1, Section 1 have been accepted into a 3-year maintenance warranty period starting March 10, 2026. The Section 2 improvements are still under construction.

3. ANALYSIS

In conformance with UDC 3.03.11.D: Criteria for Approval, no License to Encroach will be denied unless it is determined by the City Engineer that the proposed location or type of improvement will negatively impact the function of the public street, roadway, sidewalk, ROW, or easement or have an adverse effect upon the health, safety, or welfare of the general public.

The proposed improvements within the ROW in Persimmon Phase 1 are conformant with the Development Agreement and will be maintained by Bailey Community Development, Inc. These improvements include plantings, irrigation, lighting, hardscape, signage, furnishings and mail kiosks. The license includes these improvements on Marathon Road, Rankin Avenue, and various internal boulevards as shown in Exhibit A of the attached license agreement.

4. FINANCIAL IMPACT

None

5. STRATEGIC PLAN/GOALS

EXCEPTIONAL CITY SERVICES

6. STRATEGIC PLAN OBJECTIVES

Become a more business-friendly City government - regulations, codes and processes

7. PROS AND CONS

Pros: Provides landscaping and amenities beneficial to the neighborhood

Cons: Private infrastructure in the right-of-way that will need to be maintained by others.

8. ALTERNATIVES

The Council may approve the agreement as presented, approve with conditions, deny the request, or may table it for future consideration.

9. REQUESTED ACTION / SUGGESTED MOTION / RECOMMENDATION

Staff recommends approval of the Right-of-Way License Agreement.

Attachments:

[Buda License Agreement 030826 \(Ph 1 & Ph 2\)\(signed\)\(w exhibits\).pdf](#)