



Agenda Item Report

Legislative Board:

Planning and Zoning
Commission

Date:

March 26, 2024

Contact:

Will Parrish

Agenda Item ID /

Number:

2024-242- / G.3

ITEM TITLE: Hold a Public Hearing and consider a request by Buda Cole Springs JV LTD for a Development Agreement (DA) between the City of Buda and the subject property owners for a 98.96 acre tract of land, generally located between Cole Springs Road and Old Black Colony Road, out of the Phillip J. Allen Survey No. 5, Abstract 1, Hays County, Texas (DA 23-01) (Assistant Development Services Director Will Parrish).

1. EXECUTIVE SUMMARY

This is the Public Hearing and action item regarding the Development Agreement (DA) for a project known as The Reserve. Additionally, a Planned Development (PD) zoning application has been submitted for this property.

The purpose of this DA is to create an in City Municipal Utility District that will construct park, utility, and roadway improvements to serve the associated development of approximately 233 single family lots. Additionally, the DA memorializes the responsibilities associated with the realignment and reconstruction of Cole Springs Road and the extension of utilities from the western boundary of this property to HWY 1626.

2. BACKGROUND/HISTORY

At one point, this project was associated with the neighboring Development, known as "The Colony", however in its current form it is an independent development. The applicants have provided multiple workshops for the Planning and Zoning Commission and City Council.

Public Notice was sent on March 8, 2024 to all property owners within 400 feet of the property for the March 26, 2024 Planning and Zoning Commission Meeting.

3. ANALYSIS

The DA establishes the following general standards:

1. The development will not plat more than 235 home lots.

2. 4.7 acres of Parkland (per UDC) will be constructed and dedicated to the City, and responsibilities shall be divided as follows:

- The City will be responsible for marinating hardscapes, structures, the parking lot, and playgrounds.
- The HOA will maintain all landscaping, irrigation, and nature trails.
- Additional 8 acres of parkland that exceeds maximum slope requirements.

3. The Developer shall provide an additional approximately 16 acres of open space, which shall be owned and maintained by the HOA.

4. The Developer will be allowed to remove 23% of Heritage Trees and 20% of Signatures Trees, and shall mitigate for all removals with 3 inch plantings. These plantings will be allowed within each home lot as well as along both sides of the Cole Springs realignment and Neighborhood Collector roads.

5. The Developer shall design and construct a N/S Neighborhood Collector Road that will travel 1,121 linear feet north from Cole Springs and terminate at the northern property line, providing for future connectivity in compliance with the Buda Transportation Mobility Master Plan, as provided for in this DA.

6. The Developer shall design and construct the Cole Springs Realignment through the subject property, in compliance with the Buda Transportation Mobility Master Plan, as provided for in this DA.

7. The Developer will design and construct the Western Cole Springs Extension from westernmost edge of the subject property to HWY 1626 in compliance with the Buda Transportation Mobility Master Plan, as provided for in this DA.

- The City agrees to initiate acquisition procedures, including condemnation, to acquire, in the CITY's name, the additional right-of-way necessary to construct to roadway.
- The City is responsible for the costs associated with acquisition of ROW and relocation of existing utilities.
- The City has until the later of A) 3 years from the approval of this ordinance or B) 90 days after the City's acceptance of the Phase 1 infrastructure to complete the ROW acquisition.

8. Water Quality protections from section 4.05.05 of the UDC will apply to the property with the exception of the modifications attached. Additionally the impervious coverage for the property will not exceed 43% of the total property.

9. The City will provide retail service of water and wastewater to the property. The Developer will design and construct all facilities to serve the development and then convey them to the City.

10. The City agrees to provide Impact Fee Credits towards the cost of oversizing capital water and wastewater improvements beyond the needs of the development.

11. The City agrees to use good faith efforts to obligate the West Oak Developer in such development agreement or in a separate written agreement to pay to design and construct a 12-inch water line and 21 inch wastewater line from the western boundary of the development to 1626 within the Western Cole Springs Extension.

- If the West Oak Developer fails to reimburse the Developer for the utility extension, the City shall pay for the Utility extension.

12. The Municipal Utility District has the authority to issue bonds to pay for the infrastructure to serve the development.

4. FINANCIAL IMPACT

The Development proposes to reconstruct a substantial portion of Cole Springs Road, and provides a mechanism to extend utilities to 1626.

The City will collect typical development review fees for platting and building plans. Additionally the development will provide utility customers for water and wastewater.

The agreement does obligate the City to purchase ROW for the Cole Springs Extension, and requires that the City provide impact fee credits for oversizing of utilities.

5. STRATEGIC PLAN/GOALS

BALANCED AND INTENTIONAL GROWTH

6. STRATEGIC PLAN OBJECTIVES

Balance residential and commercial growth

7. PROS AND CONS

Pros:

- Will construct significant planned transportation and utility infrastructure that will provide connectivity and utilities to 1626.
- Mix of single family residential products, between 55' and 75' lots.
- Approximately 30 acres of parkland and open space.

Cons:

- Development generates traffic
- Residents of this development will pay additional taxes to the Developer established MUD.

8. ALTERNATIVES

9. REQUESTED ACTION / SUGGESTED MOTION / RECOMMENDATION

Staff has reviewed the request and recommends approval of the request as submitted.

Attachments:

[City of Buda Annexation, Development, and Municipal Utility District Consent Agreement for Reserve at Cole Springs-4853-5365-1582-v14.pdf](#)

[Concept Plan \(1\).pdf](#)

[Parkland and Open Space \(2\).pdf](#)

[PZ -Reserve at Cole Springs DA - March 2024.pdf](#)