

Legislation Details (With Text)

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| File #: | 23-1726 | Name: | |
| Type: | Report | Status: | Consent Item Ready |
| File created: | 12/19/2023 | In control: | City Council |
| On agenda: | 1/8/2024 | Final action: | |
| Title: | Approval of a resolution terminating the development agreement between the City of New Braunfels and HK Porter LLC on approximately 350 acres of property located on the north side of FM 1863 and north of the intersection of FM 1863 and Word Ranch Road. | | |

Sponsors:**Indexes:****Code sections:****Attachments:** 1. Aerial Map, 2. Resolution 2021-R74, 3. Resolution for Porter DA Termination

| Date | Ver. | Action By | Action | Result |
|----------|------|--------------|-----------|--------|
| 1/8/2024 | 1 | City Council | presented | Pass |

PRESENTER:

Christopher J. Looney, AICP, Planning and Development Services Director

SUBJECT:

Approval of a resolution terminating the development agreement between the City of New Braunfels and HK Porter LLC on approximately 350 acres of property located on the north side of FM 1863 and north of the intersection of FM 1863 and Word Ranch Road.

DEPARTMENT: Planning and Development Services**COUNCIL DISTRICTS IMPACTED:** ETJ**BACKGROUND INFORMATION:**

Applicant: HK Porter, LLC
Paul W. Kuo, Manager
24607 Fairway Springs
San Antonio, TX 78260

Staff Contact: Matthew Simmont
830-221-4058 | msimmont@newbraunfels.gov <<mailto:msimmont@newbraunfels.gov>>

The City of New Braunfels and HK Porter, LLC entered into a Development Agreement on May 23, 2022 relating to the development of approximately 350 acres in Comal County, Texas as part of a Municipal Utility District (MUD) consented to by City Council.

ISSUE:

Pursuant to the provisions of Section 42 of the Texas Local Government Code, the applicant requested that the subject property be released from the City's extraterritorial jurisdiction (ETJ); pursuant to the requirements of state statute, the City correspondingly released the territory from the ETJ on October 13, 2023. When the property was in the City's ETJ, state statute required consent by City Council for creation of the MUD. One requirement of City Council was inclusion of a development agreement to achieve development that advanced

Envision New Braunfels.

Now that the property is no longer within the City's ETJ, the City and the applicant agree that terminating the Development Agreement is in the best interest of both the applicant and New Braunfels' citizens/taxpayers.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Approval