Legislation Text

File #: 21-608, **Version:** 1

PRESENTER:
Jeff Jewell, Economic and Community Development Director

SUBJECT:
Public hearing, discussion and possible recommendation of the Mayfair Development Agreement, Development and Design Control Document (DDCD) and related exhibits

DEPARTMENT: Economic and Community Development, Planning and Development Services

COUNCIL DISTRICTS IMPACTED: N/A

BACKGROUND INFORMATION:
In 2019, the Texas General Land Office (GLO) solicited proposals for the sale and development of approximately 2,400 acres owned by the state agency. This property is located just north of the city limits of New Braunfels along both the east and west sides of IH 35, within the city's extra territorial jurisdiction (ETJ). In 2020, Southstar Communities, a New Braunfels based developer, began discussions with the City. They sought to negotiate an agreement outlining roles and responsibilities of both the City and the development project. This agreement defines what regulations will govern the development, and how the City will review the project and grant approvals to new developments within the property boundaries. This development agreement covers just under 1,900 acres of the original 2,400, and proposes a mix of residential, commercial and public uses.

Given that the project is within the ETJ, the City's ability to regulate development is limited. Development located within the City's ETJ would not typically have zoning, landscaping requirements, building permit reviews or building safety inspections, and only development regulations associated with platting property would apply. While there are some requirements for projects to meet county fire code, residential projects are not required to obtain building permits to certify adequate construction, provide drainage mitigation, park land, or a host of other reviews developments in the city currently receive. However, the creation of a special district authorized by the City Council provides for an opportunity to exercise governance and impose regulatory requirements on the project not allowed otherwise.

SouthStar Communities proposes to create a Water Improvement District (WID). The enabling legislation requires the WID to enter a development agreement with New Braunfels prior to its creation. The legislation provides the WID with the authority to impose an assessment to pay for drainage, roads, water and sewer utilities, parks and other items appropriate by law. The assessment's purpose is to provide a reimbursement process to developers for the construction of a variety of public facilities. The Development Agreement authorizes the City to exercise some level of governance over the project on a long-term basis. As a regulatory and legal document, the Development Agreement provides for specific project requirements and processes, to include:

- document definitions;

- entitlement and permitting processes;

- land uses residential unit limits (6,000);

- conditions for when the project must be reviewed by City Council or Planning Commission;

- traffic and roadway impacts and reviews;

- park commitments and delivery schedules;

- bond issuance limits and procedures;

- annexation;

- deed restrictions; and

- utility commitments.

The proposed development will include the following:

- NBU utility service

- 300 acres of public parkland and open space

- Over 13 miles of trails

- Sites for up to four new Comal ISD schools

- 160-acre Employment Center along IH 35

- Up to 6,000 residential units

- Diversity score to encourage a variety of housing types

- Connectivity score

- 17 miles of shared paths and 3 miles of separate bike lanes

- East-west IH 35 Underpass

- Improved and New roadways

- Vegetative stream buffers

ISSUE:

Recommendation of Development and Design Control Document

FISCAL IMPACT:
N/A

RECOMMENDATION:
Staff recommends approval of the Mayfair project.