

City of Smithville



City Council Workshop
Wednesday, June 29, 2022
(4:30 pm - 6:30 pm)

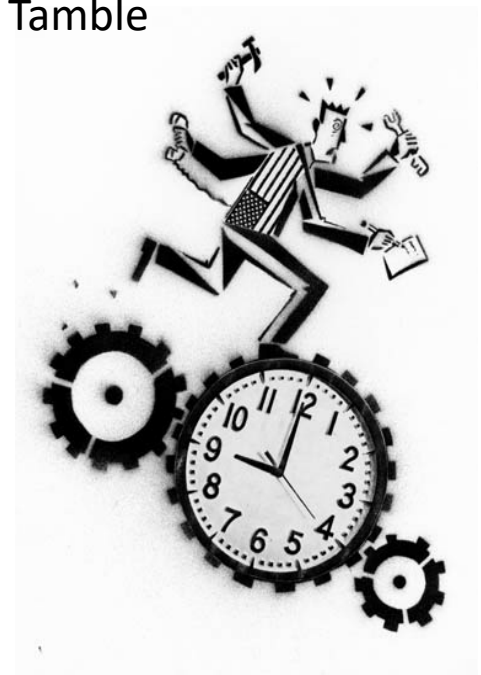
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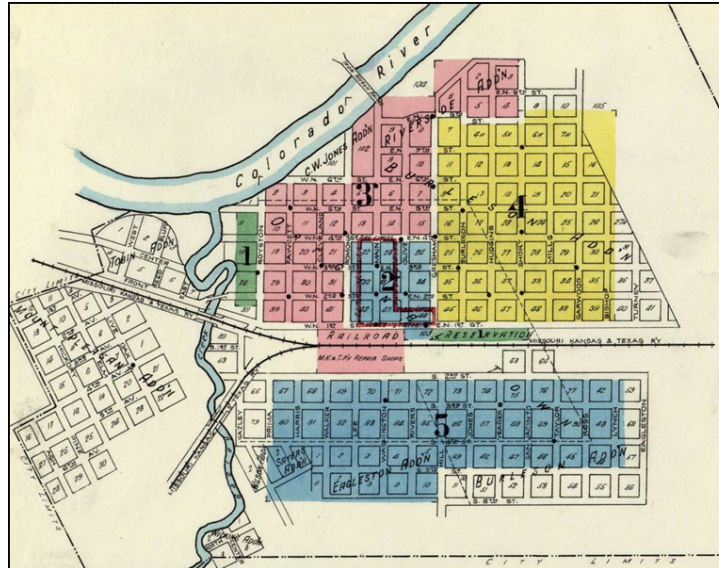
Agenda:

- Subdivision Ordinance Update – Jason Rammel
- 380 Economic Development Process - Robert Tamble
- Development Projects - Robert Tamble
- Preliminary Budget Discussion
- Councilmember Plans / Projects – City Council
- Junk Vehicles – Detective Hubbard



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Subdivision Ordinance Update (Jason Rammel)

Subdivision Ordinance Update

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Background

- City staff requested revision of the City of Smithville Subdivision Ordinance in its entirety in order to increase usefulness, update procedures to comply with current legislation, and adopt procedures that promote the health safety and welfare of the City.

Summary of Changes

1. Changed numbering scheme to match the formatting of the rest of the Code of Ordinances.
2. Reorganized for easier use:
 - Art. 10.01 – General
 - Art. 10.02 – Procedure
 - Art. 10.03 – Plans and Plats
 - Art. 10.04 – Subdivision Design
 - Art. 10.05 – Utilities
 - Art. 10.06 – Construction
 - Art. 10.07 – Studies (tree survey, TIA, etc.)
 - Art. 10.08 – Variances
3. Added additional plat types – development plats, conveyance plats, and replats / amendments.

Subdivision Ordinance Update
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Summary of Changes (cont.)

4. Clarified terms and ensured consistency.
5. Added parkland dedication and tree preservation.
6. Added traffic impact analysis to determine impact on traffic and optimal size and configuration of streets.

Next Steps:

- Incorporate comments from workshop into working draft.
- Draft provisions re: streets, construction, etc. based on comments from workshop and staff.
- Preliminary draft of entire code – By end of September
- Possible workshop/presentation to city council to receive any additional comments – October
- Final draft – Ready for adoption in November

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380 Economic Development Process Discussion (Robert Tamble)

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Chapter 380 Background:

- **Chapter 380** of the Texas Local Government Code authorizes municipalities to offer incentives designed to promote economic development.
- All **Chapter 380** agreements must be filed with the Texas Comptroller within 14-days of entering into, amending or renewing the agreement.
- **Sheets & Crossfield, PLLC** (the City's General Counsel) helped write the legislation that created Chapter 380 agreements in Texas (June 1989) and has written all City of Smithville 380 Agreements to date.



Charlie Crossfield

charlie@scrllaw.com

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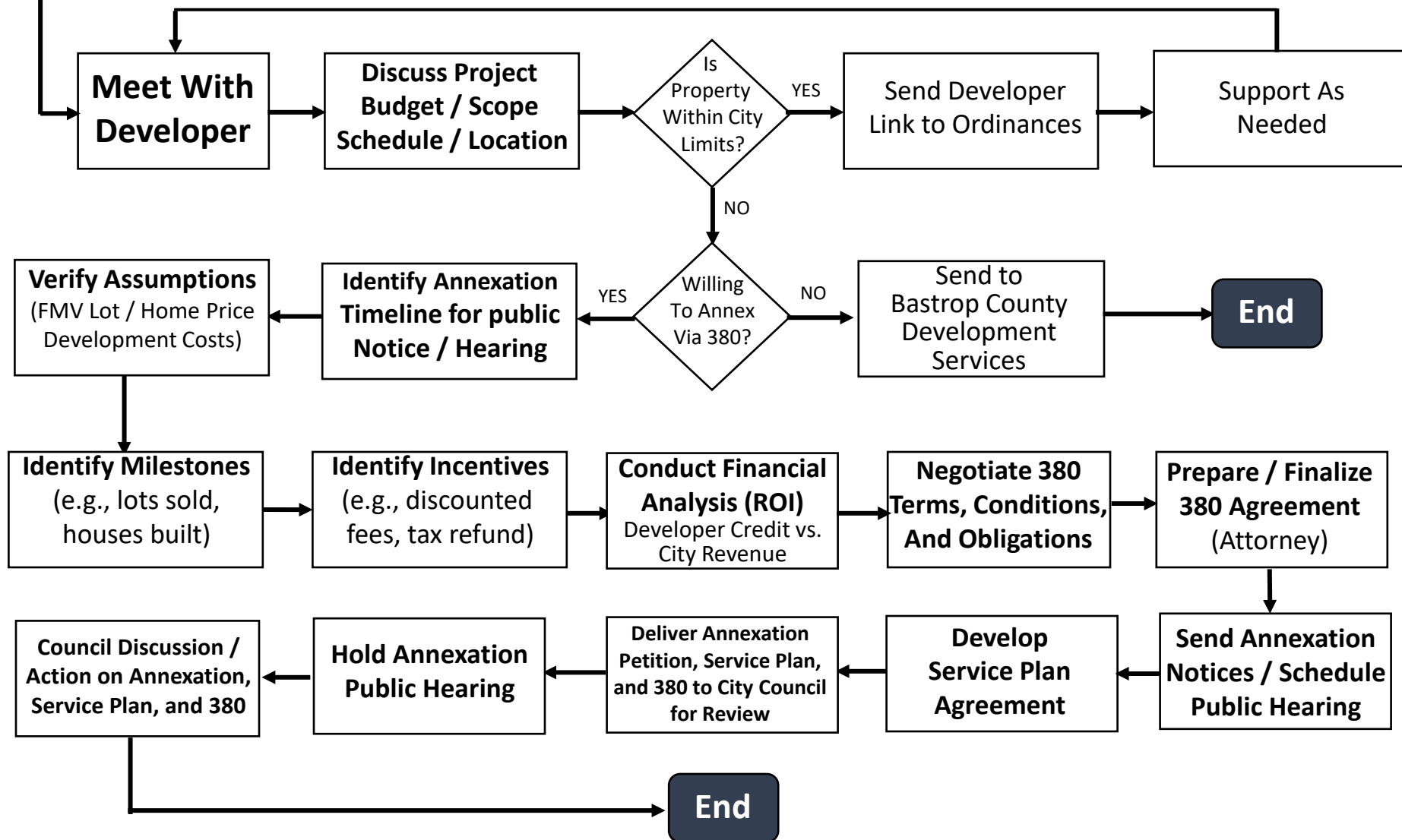
Chapter 380 Background (cont.):

- Over-riding goal / purpose of a 380 Agreement is to develop performance-based incentives for attainment of identified milestones (e.g., annexation, project start date, infrastructure completion, # of lots sold, # of homes built, etc.).
- Developer incentives can include loans, grants of public monies, tax reimbursements, utility access, city services (e.g., fire, police) and/or discounted fees.
- City incentives typically include increased property taxes, sales taxes, and utility revenues.
- Developer and City negotiate terms of 380 Agreement under guidance of General Counsel. Once all parties agree, the 380 Agreement is ready for City Council consideration and action.
- **Six (6)** Chapter 380 Economic Development Agreements signed since 2016.

380 Development Agreement



Annexation / 380 Eco Dev Agreement Process Flow Chart



City of Smithville 380 Economic Development Agreements

#	Entity Name	Purpose	Zoning Class	Performance Criteria	Developer Incentive	City Incentive	Effective Date	Expiration Date	Term
1	Smithville 71, Ltd (aka Riverside Resources)	Voluntary Annexation of 69-Acre Tract for Mixed-Use Residential and Commercial Development	Industrial (I)	Annexation	Utilities Fire & Police	Tax Revenue Service Fees Infrastructure	10/13/2016	10/13/2031	15-years
2	Hurta Land, Inc.	Voluntary Annexation of 157-Acre Tract of Land for Residential Development (50 Homes)	Single-Family Residence (SF1)	# of Lots Sold	Utilities Fire & Police No Impact Fees Tax Refund*	Tax Revenue Service Fees Infrastructure	12/11/2017	12/31/2028	11-Years
3	Smithville Solar One, LLC & Pentric, Inc.	Voluntary Annexation of 22-Acre Tract of Land for 1MW Solar Farm	Highway Commercial (C3)	% Performance of Array	Utilities Fire & Police Tax Refund*	Tax Revenue Service Fees Power at Reduced Cost	12/16/2020	12/31/2025	5-Years
4	SJC Development, LLC	Voluntary Annexation of 7.12-Acre Tract of Land for Tract of Land for Residential Development (29 Homes)	Single-Family Residence (SF1)	# of Homes Built	Utilities Fire & Police Tax Refund*	Tax Revenue Service Fees Infrastructure	5/12/2021	12/31/2025	5-Years
5	Smithville Land Partners, LLC	Voluntary Annexation of 34.848-Acre Tract of Land for Tract of Land for Residential Development (112 Homes)	Single-Family Residence (SF1)	# of Lots Sold	Utilities Fire & Police Tax Refund*	Tax Revenue Service Fees Infrastructure	6/13/2022	12/31/2027	5-Years
6	Sammi & Travis Hill	Construction and Donation of 70' x 40' Hangar in Exchange for Rental Credit	N/A	Hangar Construction Completion	Paid Utilities Use of Hangar	Capital Asset Rental Fees	6/13/2022	6/30/2040	18-Years

*Developer MUST meet performed-based milestones to be eligible for Tax Refund / Reimbursement

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Infrastructure / Development Project Discussion (Robert Tamble)

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Infrastructure Projects:

- City-wide Street Repair and Miscellaneous Drainage Projects
- City-wide Water Storage Tank Rehab
- SH95 Expansion/Utilities Relocation
- GLO-CDBG MIT Regional Drainage Improvement Project
- NEW** • AMI System Repair Upgrade
- SRTS / TA Set-Aside Sidewalks
- NW 2nd Drainage Improvement
- NEW** • Wastewater Expansion Study
- NEW** • WWTF Expansion (Willows)
- NEW** • TA Set-Aside (Main Street)
- NEW** • City Hall Expansion / ADA Compliance (Bathroom Retrofit)



PROJECTS

Development Projects:

- Zoho Corporation
- M5 Subdivision
- The Grove Subdivision
- Woodrose Subdivision
- Garwood Park Subdivision
- Go Big Solar
- Capella Property
- Creekside RV Park
- Hill Road Development
- Domain Industries, Inc
- The One (Old Pines Hotel)
- NEW** • TDHCA Home Grant
- NEW** • Enclave Subdivision
- NEW** • Smithville River Project
- NEW** • Smithville WTC (Phase 2)
- NEW** • Southside Market
- NEW** • Tractor Supply
- NEW** • Airport / Hangar Expansion
- NEW** • Major Brand Gas Station / C-Store
- NEW** • Smithville Brewing Company

CITY OF SMITHVILLE DEVELOPMENT PROJECTS

- | | |
|-----------------------------|------------------------------|
| 1) Millspaugh Holdings, LLC | 13) Smithville WTC |
| 2) Domain Industries, Inc. | 14) Creekside RV Park |
| 3) Go Big Solar | 15) The One Event Center |
| 4) M5 Subdivision | 16) Smithville River Project |
| 5) Grove Subdivision | 17) Garwood Park Subdivision |
| 6) Enclave Subdivision | 18) TDHCA Home Grant |
| 7) ZoHo Corporation | 19) Southside Market |
| 8) Property Center, LLC | 20) Airport Expansion |
| 9) Woodrose Subdivision | 21) Tractor Supply |
| 10) Garner-Riley | 22) Quail Run Annexation |
| 11) Hill Road Development | 23) Gas Station / Store |
| 12) Brookshire Brothers | 24) Hangar Donation |
| | 25) Smithville Brewing CO. |

- 18** HOME Grant Homes
-  City Limit
-  Recently Annexed

Smithville Development Projects as of 6/27/2022

	Company / Investor Name	Status	# of Jobs	Description	Confidential?	Issues	Comments
1	Millsbaugh Holdings, LLC	Pending	TBD	Mixed-Use Development in Historic Downtown	No	Yes	Developer met with City to discuss infrastructure requirements, permitting, variances, and overall project timeline back in 2017. Mr. Millsbaugh owns several properties downtown (e.g., 100 Main, 101 Main, 217 Main). Need updated plans and project timelines. Last contact was in December 2021.
2	Domain Industries, Inc	Expanding (Pending Investment)	50-75	69-acre Industrial Park	Yes	No	69-acre property (located adjacent to Hwy 71 and Loop 230) was annexed via 380 economic development w/ City on 12/11/16. Zoning changed from SF-1 to Industrial (I) via City Council action on 1/9/17. Formerly Riverside Resources. Property SOLD to Glenn Synnott of Domain Industries, Inc. in July 2021. Mr. Synnott currently working on several mixed-use development concepts (e.g., retail, commercial, residential, hotel) and is not ready to share with public.
3	Go Big Solar	Construction Complete	TBD	1 MW Solar Farm	No	No	Investor / developer purchased and annexed 24-acres adjacent to the airport and Loop 230 under 380 economic development agreement for construction of 1MW Solar Farm. City entered into a 25-year Power Purchase Agreement (PPA). Construction completed 12/31/21. System capable of producing 6% of total demand with anticipated cost savings of \$40k per year. Waiting on installation of 15-minute interval meter as part of final commissioning. City can purchase up to 15% of alternative energy per LCRA wholesale power agreement and we have first right of refusal for Phase II solar PPA.
4	M5 Subdivision (230 Properties, LLC)	Construction Underway	NA	32 home SF-1 subdivision	No	No	Subdivision is located between Webb Street and NE 7th. Preliminary plat approved by Council 2/11/19. Variances granted for 500' centerline radius and < 60' ROW approved by Council on 2/11/19. Construction plans and drainage study reviewed by 3rd Party engineering firm and approved by the City on 6/4/21. Infrastructure (e.g., roads, water, sewer, detention pond) construction 95% complete with one-year performance warranty. Three (3) homesites under construction. Estimated project completion - July 2023.
5	The Grove Subdivision (SJ2 Development, LLC)	Construction Pending	NA	28 Home SF-1 Subdivision	No	No	7.15-acre property annexed via 380 economic development w/ City on 5/12/21. The property is located off of Loop 230 between Quail Run, Oak Meadows, and Riverchase. Preliminary plat and construction plans reviewed and approved by 3rd party engineering firm. Construction pending final TXDOT driveway permit approval.
6	Smithville Land Partners, LLC	Construction Pending	NA	112 Home SF-1 Subdivision	No	No	Developer (Todd McCullough) purchased 34.858-acres between Hwy 71 and American Legion Road (Hurta tract) to construct 112 home SF-1 subdivision. Voluntary annexation petition, service plan, and 380 Economic Development agreement approved by City Council on 6/13/22. Preliminary plat approval pending review by P&Z and City Council in August 2022. Construction plans must be reviewed by 3rd party engineering firm for compliance with local, state, and federal requirements / regulations (drainage analysis, building code, etc.).
7	ZoHo Corporation	Construction Pending	50-100	Commercial	No	No	ZoHo Corporation purchased a 7.7-acre site off of Hwy 71 to construct 10,000 sq.ft. office facility for cloud-based software solutions. ZoHo plans to employ 50-100 people in the next 2-3 years.

Smithville Development Projects as of 6/27/2022

	Company / Investor Name	Status	# of Jobs	Description	Confidential?	Issues	Comments
8	The Property Center, LLC	Expanding (Pending Investment)	TBD	42-acre Commercial Development	No	Yes	The Property Center, LLC purchased the 42-acre parcel off of Hwy 71 and Colorado Road (formerly known as the Capella tract). Capella had the property rezoned from C3 (Highway Commercial) to PDD (Planned Development District) on 8/14/17. A development plan was submitted when PDD Ordinance #2017-537 was approved by the City Council. However, Capella did not complete the project as planned and sold the property. The City took measures to rezone the property from PDD back to C3 (Highway Commercial). This required public notice, notification of property owners within 200' of the property, and approval from the P&Z and City Council (3/14/22). The new owners (Tatineri Family) have met with the City to discuss a proposed mixed-use commercial development (e.g., fast food chain, truck stop, office / retail space). Wastewater capacity remains an issue.
9	Woodrose Place (George McMahan)	Construction Pending	N/A	14 Home SF-1 Subdivision	No	No	3.0-acre property located off of Loop 230 east between Texaco and Bluebonnet Circle. Preliminary plat and construction plans approved. Building permit issued on 8/24/21. Construction pending.
10	Garner-Riley	Expanding (Pending Investment)	5-7	Rehabilitation & Physical Therapy Center	No	No	The City met with Tim Garner on 1/24/22 about potential business expansion into 316 Main. Zoning, building permits, and parking were some of the topics discussed. Mr. Garner is exploring the possibility of purchasing the building and bringing physical therapy office / rehabilitation center to Smithville.
11	Hill Road Development	Expanding (Pending Investment)	N/A	Multi-Family Apartment Complex	No	No	Multi-Family development on Hill Road adjacent to Hwy 71 and across the street from the new Towers Nursing Home. Developer would like to build a 3-story complex with nine (9) apartments. Conceptual design includes, balconies, on-site parking, green space, and trees. Multiple variance requests approved by City Council on 4/12/21 to allow taller building height and reduced rear yard set-back requirements. Preliminary plat and construction plans pending.
12	Brookshire Brothers	Construction Complete	10-15	Grocery Store	No	No	Brookshire Brothers Store #55 renovation includes bakery, delicatessen, café, and pharmacy. Construction plans approved and building permit issued 6/10/21. Renovation completed May 2022!
13	Smithville Workforce Training Center	Construction Pending	3-5	Adult Learning Center	No	No	City of Smithville partnered with St. David's Foundation and Austin Community College (ACC) to create Smithville Workforce Training Center at 407 Fawcett (the old Tax Office). CNA, Phlebotomy, HVAC, Plumbing, ESL, and GED courses available to the public. Phase II expansion of the SWTC includes construction of new 2-story training facility and upgrades to the Pavilion @ Riverbend Park pending \$1M TDA grant award.
14	Creekside RVPark	Construction Underway	3-5	RV Park	No	No	179 Space RV Park on 16-acre tract located on Hwy 71 East & Loop 230. \$1.5-2.0M Developer Investment. Development plans approved by County as property is NOT currently located inside the city limits. City to provide all utility services at non-resident rates. Water extension (outside City Limits) approved by City Council on 10/21/19. Construction of water line extension underway. Developer does not wish to petition for voluntary annexation at this time.

Smithville Development Projects as of 6/27/2022

	Company / Investor Name	Status	# of Jobs	Description	Confidential?	Issues	Comments
15	The One Event Center	Construction Pending	7-10	Downtown Event Venue / Boutique Hotel	No	Yes	Owner is restoring the old Pines Hotel located on NE 2nd and Olive Street in downtown Smithville to create an event venue and boutique hotel. Property is zoned CBD. Demolition has begun. Construction plan review by 3rd Party Engineering firm and approval / issuance of building permit by the City is still pending. Property currently on the market.
16	The Smithville River Project	Construction Pending	3-5	Event Venue / Overnight Accommodations	No	No	3.7-acre facility currently zoned SF-1 (adjacent to ZoHo). Developer will be requesting zone change from SF-1 to Planned Development District (PDD) to allow construction of an event venue and overnight accommodations (Casitas). Zone change, development plan, and preliminary plat will require approval by P&Z Commission and City Council.
17	Garwood Park Subdivision	Construction Pending	N/A	18 Home SF-1 Subdivision	No	No	Developer (Machs N Cahoots, LLC) purchased 5.112 acre property (formally the Towers Nursing Home and Smithville Clinic) to construct 18 home SF-1 subdivision. The property is located between 9th, Short, and Garwood Streets. Preliminary plat was approved by the P&Z and City Council on 4/11/22 with variance granted for block width. Construction plans are currently being reviewed by 3rd party engineering firm for compliance with local, state, and federal requirements / regulations (drainage analysis, building code, etc.).
18	TDHCA Home Grant Program	Construction Pending	N/A	4 New SF-1 Homes	No	No	Texas Department of Housing and Community Affairs (TDHCA) HOME GRANT program funding will be used to construct four (4) new SF-1 homes in Smithville. City match is 4% of the \$135,000 construction cost. Four applicants have been identified who meet eligibility requirements at the following addresses: 203 Cleveland, 407 Gazley, 203 Washington, and 611 Gazley. Construction pending selection of building contractor with completion of homes 6-9 months out.
19	Southside Market	Expanding (Pending Investment)	N/A	BBQ Food / Restaurant	No	No	Southside Market will be occupying and serving BBQ from the old Zimmerhansel's building in August. Discussions with the City began several months ago regarding renovation and potential expansion. Twenty percent (20%) of renovation cost must be dedicated to ADA compliance upgrades (e.g., parking, signage, restrooms, ramps, etc.).
20	Smithville-Crawford Municipal Airport	Expanding (Pending Investment)	N/A	Runway / Taxiway Expansion	No	No	The City is currently working with LCRA and Bluebonnet Electric Co-op to identify cost associated with burying generation and transmission lines underground to allow an extension of the runway from 4000' to 5000'. Project is part of the City's long-term airport development plan as filed with the FAA and TXDOT Aviation group. Once the cost for burying the lines underground is determined, the City will make a request to TXDOT to help fund the project as part of their Capital Improvement Plan (CIP). Funding is 90/10 with the City responsible for 10% match. Estimated completion is 2-3 years out.
21	The Kieth Corporation	Expanding (Pending Investment)	10-15	Farm & Ranch Supply Retailer	No	No	8.42-acre parcel located between NE Loop 230 and SH-71. Developer is interested in bringing a major farm and ranch supply retail provider. Property is zoned C3 (Highway Commercial) and in the FEMA flood plain. STATUS: Developer is still evaluating / considering.

Smithville Development Projects as of 6/27/2022

	Company / Investor Name	Status	# of Jobs	Description	Confidential?	Issues	Comments
22	Quail Run	Expanding (Pending Investment)	N/A	Voluntary Annexation	No	No	Forty (40) townhome development built in 1983 on NE Loop 230 that was never annexed. Developer (Normal Ewers) is interested in possible voluntary annexation if City willing to share the cost of widening the road and replacing sidewalks (\$250k). Market Value of each townhome is approximately \$60k. Property valued at \$3.5M. If annexed, the City would net \$19k per year in property taxes at the current adopted tax rate of \$0.54901. This would equate to a 6.5 year return on investment. Additional townhome units could be built as there are sixteen (16) undeveloped lots remaining. STATUS: Developer is still evaluating / considering.
23	Smithville Investment, LLC (Jimmy's Texaco)	Construction Pending	3-5	Gas Station / Convenience Store / Fast Food Chain	No	No	7.04-acre parcel located at the corner of HWY 71 and FM 153 (outside city limits but within ETJ). Major gas station / convenience store / fast food chain. Developer (Smithville Investment, LLC) is considering voluntary annexation to allow access to wastewater services. City must extend wastewater services as the parcel is located within the City of Smithville sewer CCN on file with the PUC. Wastewater is available but must bore FM 153. Effluent will go to the Gazley WWTF (capacity is 500,000 gpd). Gas station / store will require approximately 20-25 LUE's. STATUS: Developer is still evaluating / considering.
24	Sammi & Travis Hill	Construction Pending	N/A	70'x40' Aviation Hangar	No	No	The City Council approved entering into Texas Local Government Code Chapter 380 Economic Development Agreement with Sammi and Travis Hill to allow the construction and donation of a 2800 ft ² (70' x 40') hangar (valued at \$140,400) to the City of Smithville at the Municipal Airport on 6/13/22. The term of the agreement is 25-years. The Hills must purchase and build the hangar within 12-months of entering into the agreement at a location identified in the approved TXDOT Aviation Airport Layout Plan (ALP). The Hills will receive an 18-year "lease credit" at \$650 per month until the initial cost \$140,400 is reimbursed. The Hills will then be allowed to rent the city-owned hangar at \$775 per month for the next 7-years. This will bring \$65,100 revenue to the city beginning in 2040. In return, the City will cover the cost of utility installation, insurance, mowing, and monthly electric service. Both parties will share the cost to bring pavement (hot mix) to/from the hangar. The agreement will further enable the airport expansion per the approved TXDOT Aviation ALP.
25	Smithville Brewing Company	Construction Underway	3-5	Craft Beer	No	No	Developer opening craft beer venue on SH95 adjacent to the airport and solar farm. 3.0-acre parcel located outside city limits within the ETJ. Opening in July 2022.

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City Council Preliminary Budget Discussion

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Plans / Projects for Consideration in FY22-23:

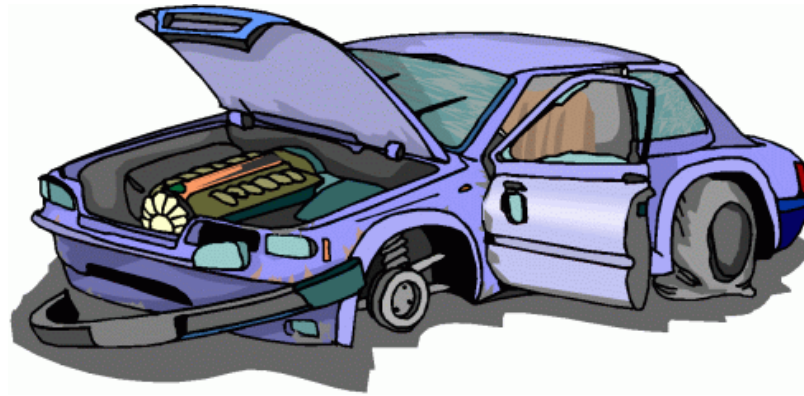
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Budget Workshops will be Held in August and September with the new fiscal year beginning October 1, 2022.

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Abandoned / Inoperable / Junk Vehicle Discussion (Detective Hubbard)

NOTICE TO THE PUBLIC

The City of Smithville Code of Ordinances addresses the issue of **Junked and Abandoned Vehicles** on public and private property. Going forward, the ordinance will be enforced on a more uniform basis. To this end, the City is asking all citizens to remove and/or relocate any junked or abandoned vehicles from both public and private property on or before **August 1, 2022** in advance of a city-wide code enforcement campaign. Police Officers and Code Enforcement will be working together starting August 2, 2022 to address and remove said vehicles pursuant to the below provisions/ordinances. Specifically, the City will focus on the following:

Code of Ordinances - Chapter 8 – “Offenses and Nuisances”

Article 8.07 - ABANDONED PROPERTY OTHER THAN MOTOR VEHICLES

Article 8.08 - ABANDONED OR JUNKED VEHICLES (Divisions 1, 2, and 3).

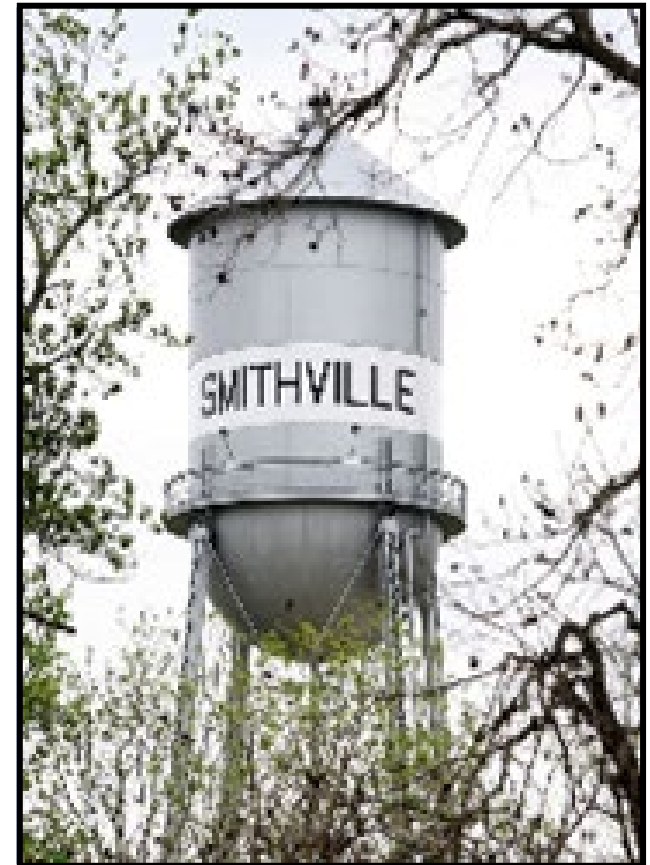
This Ordinance can be found on the City of Smithville’s Webpage → <https://www.ci.smithville.tx.us/city-government/ordinances/> .

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Next Steps:

- **Incorporate** comments from workshop into subdivision ordinance working DRAFT
- **Schedule** additional workshop(s) to review progress and obtain feedback.
- **Develop** final DRAFT of new subdivision ordinance – **October**
- **Adopt** new subdivision ordinance – **November.**
- **Communicate** requirements for abandoned, inoperable, and junk vehicles in parked in ROW or on private property. (Notice included in Utility Bill)
- **Enforce** ordinance as defined – **August 1st**





THANK YOU!

