

Agenda Item Details

Meeting	Oct 08, 2024 - Bryan City Council Second Regular Meeting
Category	4. Public Hearings and First and Only Readings of Ordinances - Open public hearing, hear citizen comments, close public hearing, staff presentation, and consider first and only reading of ordinance.
Subject	C. Owner-requested annexation case no. ANNEX24-03, public hearing, presentation, and consideration of the first and only reading of an ordinance of the City of Bryan, Texas, annexing territory generally described as being Lot 1 in Block 1 of Axis Pipe and Tube Subdivision, being 182.73 acres of land located generally south of Louis E. Mikulin Road between Texas State Highway 6 and Mumford Road, in Bryan's extraterritorial jurisdiction (ETJ) in Brazos County, Texas, lying adjacent and contiguous to the present corporate limits of the City of Bryan; finding that all necessary and required legal conditions have been satisfied; describing the territory annexed and providing a service plan therefore; obligating the property situated therein to bear its pro rata part of taxes levied; providing rights and privileges as well as duties and responsibilities of inhabitants and owners of said territory.
Type	Action
Preferred Date	Oct 08, 2024
Absolute Date	Oct 08, 2024
Fiscal Impact	No
Budgeted	No
Goals	Economic Development Infrastructure Public Safety Quality of Life Service

Summary:

In April 2013, as part of an economic development incentive package to help locate an industrial manufacturing plant on property in the Texas Triangle Industrial Park, the City of Bryan and Kuadrum Pipe and Tube Inc., now known as Axis Pipe and Tube Inc., entered into a non-annexation agreement pursuant to Chapter 212 of the Texas Local Government Code. The purpose of this non-annexation agreement was to guarantee the continuation of the extraterritorial status of the property and its immunity from annexation by the municipality for a period of ten (10) years. As part of the agreement, attached as Exhibit "3", City of Bryan police and fire protection and access to City water lines were provided to the property. In exchange, the company agreed to add at least \$120 million in taxable value, employ at least 285 full-time employees, and maintain an agreed-upon aggregate gross salary base. The 10-year term expired on December 31, 2023, which per the agreement, constituted a petition for annexation into the City limits.

The property owner requests the subject property be assigned Planned Development – Industrial District (PD-I) zoning upon annexation. The PD-I District allows all land uses allowed in the City's Industrial zoning district, except adult entertainment uses. The requested zoning district is consistent with the existing zoning districts within the Texas Triangle Industrial Park.

State law requires the annexation ordinance include a municipal service plan that details the specific municipal services to be provided to the area after it has been annexed. Staff anticipates no extraordinary new services, facilities, or expenses as a result of this annexation. Domestic water supply and sanitary sewer service will continue to be provided by the City of Bryan. A copy of this service agreement is attached to this Council Action Form.

Analysis and Recommendation:

During its regular meeting on September 5, 2024, the Planning and Zoning Commission concurred with staff and **unanimously voted to recommend approval** of the owner-requested annexation of these 182.73 acres, and to assign Planned Development – Industrial District (PD-I) zoning to the property upon annexation. The Commission adopted the written staff report and analysis as the report, findings, and evaluation of the Commission.

- Approving the requested annexation will bring 182.73 acres of land under the full regulatory control of the City; annexation of this acreage can, therefore, help promote orderly urban growth in the Texas Triangle Industrial Park area.
- The Planning and Zoning Commission anticipates no extraordinary new services, facilities, or expenses as a result of this annexation.
- The Planning and Zoning Commission contends that that the proposed PD-I zoning district is most appropriate and efficient for the land in this specific case.
- Assigning PD-I District accommodates the manufacturing and office/warehouse uses.

Options:

1. approve the proposed owner-initiated annexation; or
2. approve the proposed owner-initiated annexation with modifications, which may require rescheduling the request for consideration on a future City Council meeting agenda, re-notification and/or newspaper publication; or
3. do not approve this proposed owner-initiated annexation at this time and provide direction to staff.

Attachments:

1. location maps;
2. draft annexation ordinance and exhibits with service plan;
3. excerpt from September 5, 2024 Planning and Zoning Commission regular meeting minutes;
4. staff report to the Planning and Zoning Commission; and
5. attachments to staff report to the Planning and Zoning Commission.

[CAF ATTACHMENTS ANNEX24-03, Axis Pipe and Tube.pdf \(825 KB\)](#)

[Attachment 5 - KUADRUM PIPE AND TUBE, INC \(AXIS\)_NON-ANNEXATION AGREEMENT.pdf \(580 KB\)](#)

[Attachment 6 - Staff Report Attachments.pdf \(1,647 KB\)](#)