

A G E N D A



Recommendation for Council Action (Real Estate)

Austin City Council	Item ID:	38212	Agenda Number	57.
Meeting Date:	December 11, 2014			
Department:	Office of Real Estate Services			
Subject				
Authorize the negotiation and execution of all documents and instruments necessary or desirable to sell two tracts of land totaling approximately 215.436 acres out of and a part of the R.G. Anderson Survey in Williamson and Travis Counties, Texas, known locally as 15700 Anderson Mill Road, to the CITY OF CEDAR PARK, TEXAS, for the amount of \$4,100,000.				
Amount and Source of Funding				
Fiscal Note				
There is no unanticipated fiscal impact. A fiscal note is not required.				
Purchasing Language:				
Prior Council Action:	November 6, 2014 - Council authorized negotiation only with direction to provide Council with a comparison of City of Austin and City of Cedar Park development regulations as they apply to this property, along with an assessment of the potential impact that conditioning the sale of this property on compliance with City of Austin regulations might have on the purchase price.			
For More Information:	David Juarez, Austin Water Utility, (512) 972-0191; Mashell Smith, Office of Real Estate Services, (512) 974-7149; Lauraine Rizer, Office of Real Estate Services, (512) 974-7078; Amanda Glasscock, Office of Real Estate Services, (512) 974-7173.			
Boards and Commission Action:	September 30, 2014 - Approved by the Audit and Finance Committee on a 3-0 vote with Chairperson Mayor Pro Tem Cole abstaining from the vote.			
MBE / WBE:				
Related Items:				

Additional Backup Information

In 1987, the City purchased a tract of approximately 82.719 acres and a tract of approximately 132.718 acres, together commonly known as the Lime Creek Quarry, located at 15700 Anderson Mill Road south of FM 1431. The property is bisected both by Anderson Mill Road and by the border of Williamson and Travis Counties.

The purpose of the City's acquisition was for the disposal of residuals from a future Austin Water Utility treatment plant. After acquiring the property, the City inherited and continued to maintain a lease allowing a third party to use the site for quarrying activities.

During the 1990s, an unincorporated area including the entirety of the Lime Creek Quarry site was annexed by the City of Cedar Park, Texas. In 2007, the State of Texas enacted Texas Natural Resource Code Section 133.121, placing limitations on the use and lease of the quarry without obtaining the consent of the City of Cedar Park.

The City of Cedar Park, Texas, desires to purchase the Lime Creek Quarry property for economic development purposes. The site is labeled as a planning area for redevelopment in the draft Imagine Cedar Park comprehensive plan and is abutted by residences, a school, offices, and other commercial uses. The quarry is currently a nonconforming use as zoned by the City of Cedar Park. The Capital Area Metropolitan Planning Organization (CAMPO) has prioritized two road construction projects across this property in the CAMPO 2035 Regional Transportation Plan.

The sale price of \$4,100,000 is the current fair market value of the property as determined by an independent, third-party appraiser. The Austin Water Utility will collect revenue from this sale.

On November 6, 2014, Council authorized negotiation only with direction to provide Council with a comparison of City of Austin and City of Cedar Park development regulations as they apply to this property, along with an assessment of the potential impact that conditioning the sale of this property on compliance with City of Austin regulations might have on the purchase price. A regulatory comparison chart of City of Austin and City of Cedar Park is attached for review to this Request for Council Action as backup. The third-party independent appraiser would require additional land planning services to help determine the potential impact that conditioning the sale of this property on compliance with City of Austin regulations might have on the purchase price. The extra appraisal and land planning cost would be approximately \$10,000 and would include a turnaround time of 90 days. This Request for Council Action includes the authority to negotiate, as well as execute, documents because conveyance documents will need to be negotiated prior to execution by the City of Austin.