

RESOLUTION NO. 18-R-04

A RESOLUTION BY THE COUNCIL OF THE CITY OF ALVIN, TEXAS, SUPPORTING AN AMENDED DEVELOPER AGREEMENT TOWARD THE CONSTRUCTION OF THE ST. JAMES SENIORS RESIDENTIAL DEVELOPMENT WITH A COMMERCIAL COMPONENT; AND SETTING FORTH RELATED MATTERS THERETO.

WHEREAS, pursuant to Article III, Section 52-a of the Texas Constitution and Chapter 380 of the Texas Local Government Code, it is the established policy of the City to adopt such reasonable programs and measures from time-to-time, as are permitted by law, to promote local economic development, to attract industry, create and retain primary jobs, expand the growth of the City, to stimulate business and commercial activity in the City, and thereby enhance the economic stability and growth of the City; and

WHEREAS, on June 7, 2017, Don Barras Development, LLC (the “Company”), 1300 Plantation, Alvin, Texas 77511, entered into an Agreement, with the intent to construct a senior residential development and a commercial development (the “Improvements”), in the extra territorial jurisdiction (ETJ) of the City of Alvin and be annexed into the City of Alvin, located along the proposed FM 528 Extension between Business 35 and State Highway 6, Alvin, Brazoria County, Texas (the “Property”), and more particularly described in Exhibit “A,” attached hereto and made a part hereof; and

WHEREAS, the Company expects the senior residential development will provide twelve (12) buildings, housing 120 single-story units with parking, and will be age-restricted for one resident to be at least 55 years of age, and no residents shall be under 50 years of age, as described in Exhibit “B;” and

WHEREAS, the company is now adding an assisted living component to the development, to be built in an additional phase; and

WHEREAS, on November 14, 2016, the Company and City staff held a pre-development meeting to discuss the senior residential development, where the proposal to the City required certain administrative actions to permit the construction of the senior residential development; and

WHEREAS, the Company submitted a letter requesting annexation on May 17th, 2017, and such annexation will be acted upon by the City upon completion of the senior residential development; and

WHEREAS, the City agrees that to induce the Company to construct the Improvements on the Property, it will take all lawful and appropriate administrative actions (collectively the “Actions”) to permit and authorize the construction and operation of the Property as set forth in Exhibit “C,” attached hereto and made a part hereof; and

WHEREAS, the Company has agreed, in exchange and as consideration for the Actions, to satisfy and comply with certain terms and conditions of this Agreement; and

WHEREAS, this Agreement is found by the City Council of the City to be suitable for the stimulation and development of business operations at the Property, the increase of taxable property in the City, the development and improvement to existing property, and a better quality of place/life for the community, the creation of construction jobs and the economic benefit for the City in general, and for the property values of property immediately adjacent to the Property; and

WHEREAS, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALVIN, TEXAS:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Open Meetings. It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Section 3. Effective Date. This resolution shall take effect upon its adoption.

PASSED AND APPROVED on this the ____ day of _____, 2018

CITY OF ALVIN, TEXAS

ATTEST:

By: _____
Paul A. Horn, Mayor

By: _____
Dixie Roberts, City Secretary