

Date: August, 21 2012

To: Thomas J. Bonfield, City Manager
Through: Wanda Page, Deputy City Manager
From: Bertha Johnson, Director of Budget & Management Services
Roberta E. Bibby, Corporate Sr. Budget & Management Services Analyst
Matthew Wagner, Corporate Sr. Budget & Management Services Analyst

Subject: Voluntary Annexation Petition Received by June 2012

Executive Summary

A voluntary annexation petition has been received and reviewed for the Brier Creek Townes development located at 805 & 901 Andrews Chapel Road, now requesting a public hearing on Monday, September 17, 2012 to hear citizen comments concerning the petitioned annexation and to adopt an ordinance annexing this area into the City.

Recommendation

The Administration recommends the City Council adopt an ordinance annexing the Brier Creek Townes development into the City of Durham effective September 30, 2012, and authorize the City Manager to make a one-time debt service payment to the Durham Highway VFD and a one-time debt service payment to the Bethesda VFD in connection with Brier Creek Townes.

Background

The Administration is requesting the Council set September 17, 2012 as the public hearing date for this area requesting to be annexed into the City. The public hearing will be held in compliance with N.C. General Statute 160A-58.2. The area under review has estimated revenues exceeding estimated expenditures at within the 2 year build-out window.

A zoning agenda item will be presented by Planning to establish an initial zoning for property currently in Wake County. A subsequent rezoning will be presented at a future date.

Alternative(s)

The Council can choose not to annex the area. In the future, the City could decide to pursue annexation through the City-initiated process. The City-initiated annexation process is much more costly and contentious than the petition process. Staff investigation of qualification criteria, education of citizens, and writing of extensive reports results in considerable administrative expense. Statutes require lengthy delays, numerous public hearings, and a referendum. In addition, citizens opposing the City-initiated annexations frequently challenge the City's action in court, resulting in delays, uncertain start dates for the annexation, and additional legal costs.

Financial Impact*Requested Zoning (Brier Creek Townes):*

The estimated General Fund revenues generated from this one annexation area under requested zoning at build out in FY2013-14 would be \$337,699. The total estimated expenditures associated with providing the City services at build out in FY2013-14 would be \$132,443. The annual estimated net gain to the City at build out in FY2013-14 would be \$205,255. The cumulative estimated net gain to the City at build out in FY2013-14 would be \$651,214.

CIP expenses are realized in FY2014-15 at \$28,743 representing a 0.56% proportional cost for a new Fire Station.

A cost benefit analysis is attached that provides additional details through FY2023-24.

SDBE Summary

Not applicable; no service is being provided.

Attachments

- Annexation Summary Table
- Ordinance
- Clerk Certification
- Legal Description
- Context Map
- Cost / Benefit Analysis