

**AGENDA**



**Recommendation for Council Action**

Austin City Council	Item ID	73962	Agenda Number	20.
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Meeting Date:	8/31/2017	Department:	Planning and Zoning
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**Subject**

Approve an ordinance adopting an amendment to the 5200 McKinney Falls Parkway Annexation and Development Agreement relating to installation of a telecommunications tower with associated equipment (adjacent to District 2).

**Amount and Source of Funding**

**Fiscal Note**

There is no financial impact for this item.

Purchasing Language:	
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Prior Council Action:	October 22, 2009 – Council approved the 5200 McKinney Falls Parkway Annexation and Development Agreement
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For More Information:	Virginia Collier, Planning and Zoning Department, (512) 974-2022
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Council Committee, Boards and Commission Action:	
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MBE / WBE:	
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Related Items:	
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**Additional Backup Information**

In 2009 the City entered into an annexation and development agreement with the property owner in lieu of completing full-purpose annexation at that time. The agreement authorized by Section 43.035 of the Texas Local Government Code establishes development regulations for the property and provides that it will remain in the City's extraterritorial jurisdiction (ETJ) for a period of 15 years if it continues to be used for agricultural purposes. Upon filing an application for non-agricultural development of the property, the agreement provides that the City may annex the property in accordance with applicable law. Further, the agreement allows the city to extend the city limits to include the city-owned property east of McKinney Falls Parkway without annexing the agricultural property in the middle.

The property owner is requesting an amendment to the provision of the agreement that limits construction on the property that is inconsistent with the City's agriculture (AG) zoning requirements. The amendment will allow for the installation of a telecommunications tower with associated equipment for its operation to be located on Tract Two. All other terms and conditions of the original agreement will remain in effect.

Staff recommends approval of this amendment.