

**Neighborhood Planning & Zoning
CITY OF AUSTIN**

**AGENDA #15
DATE: 4/20/2006**

**RECOMMENDATION FOR
COUNCIL ACTION**

Subject: Approve second/third readings of an ordinance to annex the Winfield MUD No. 2 Area for the limited purposes of planning and zoning (approximately 575 acres in Travis County and Hays County and located approximately 1.5 miles east of South IH 35 and south of Turnersville Road).

Amount and Source of Funding: Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.

Fiscal Note:

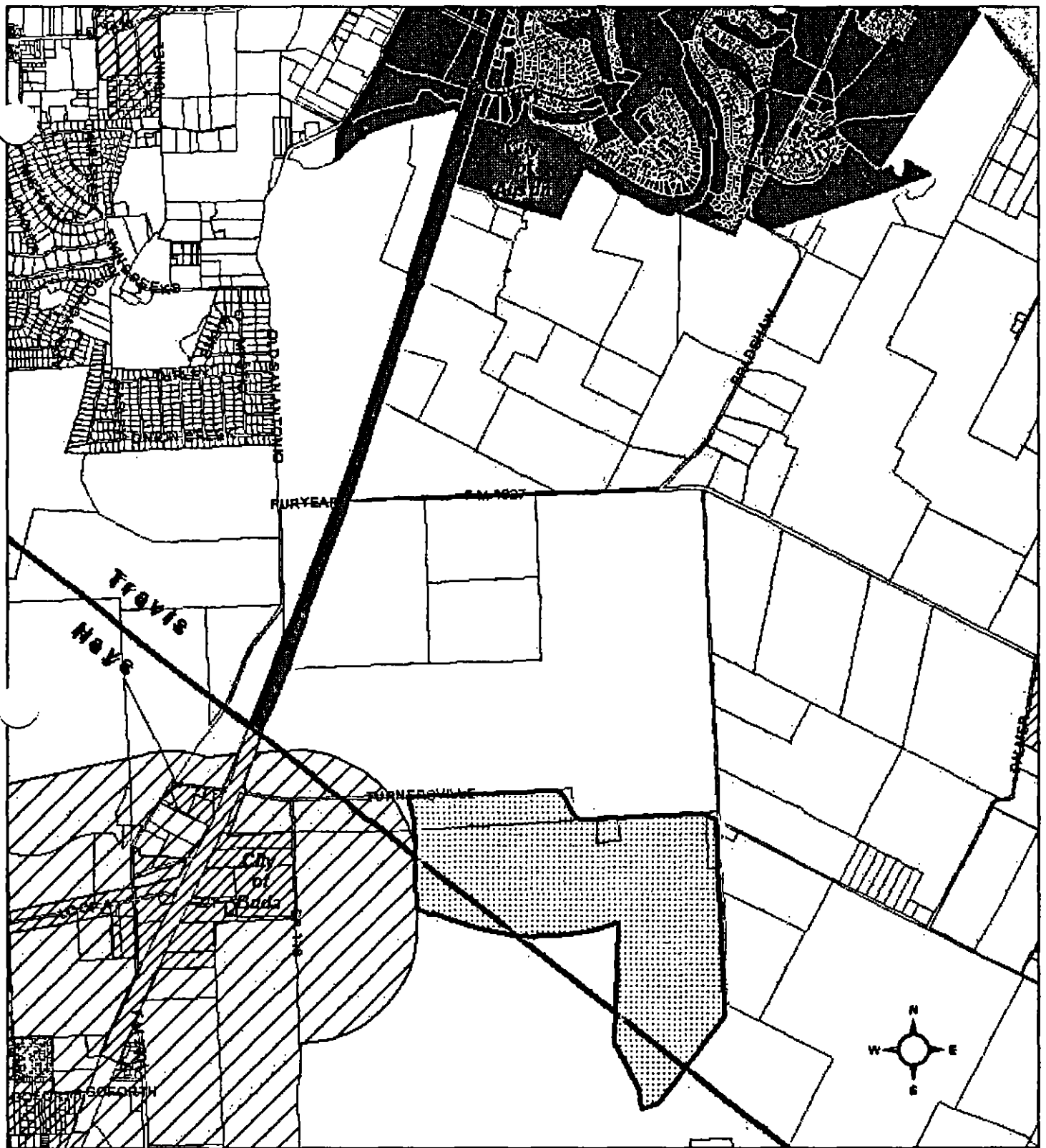
Requesting Department: NPZD

For More Information:

Prior Council Action: 3/2/06 & 3/9/06 - Public hearings 4/6/06 - Council approved a Strategic Partnership Agreement with Winfield MUD No. 2. 4/6/06 - Council approved first reading of a regulatory plan for Winfield MUD No. 2

Boards and Commission Action:

The Winfield MUD No. 2 Area (approximately 575 acres) is located in Travis County and Hays County approximately 1.5 miles east of South IH 35 and south of Turnersville Road.) The proposed land use for Winfield MUD No. 2 includes office and industrial development. This area is being annexed in accordance with the terms of the Strategic Partnership Agreement (SPA) between the City of Austin and the Winfield MUD No. 2, approved on April 6, 2006.



Winfield MUD No. 2 Limited Purpose Annexation Area



City of Austin
Neighborhood Planning & Zoning Department
January 17, 2006

This map has been produced by the City of Austin Neighborhood Planning & Zoning Department for general planning purposes only and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness.

Legend

- ANNEXATION AREA
- FULL PURPOSE
- LIMITED PURPOSE
- ETJ

- OTHER CITY
- OTHER CITY'S ETJ
- COUNTY LINE

0 1000 2000 4000 Feet

ORDINANCE NO.

AN ORDINANCE ANNEXING FOR THE LIMITED PURPOSES OF PLANNING AND ZONING ADDITIONAL TERRITORY ADJACENT TO THE CITY LIMITS OF THE CITY OF AUSTIN, CONSISTING OF APPROXIMATELY 575.70 ACRES OF LAND OUT OF THE WILLIAM PORTER SURVEY NO. 6, THE GEORGE HERDER SURVEY NO. 537 AND THE HENRY DOWMAN SURVEY NO. 536 IN TRAVIS AND HAYS COUNTIES, TEXAS, AND REFERRED TO AS THE "WINFIELD MUD NO. 2" AREA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council makes the following findings

- (A) Notice of two public hearings concerning the limited purpose annexation of the territory described in Exhibit A, referred to as the Winfield MUD No. 2 Area, was published in a newspaper of general circulation in the City of Austin; in the area to be annexed; and on the City of Austin internet website.
- (B) A report containing a planning study and regulatory plan for the territory to be annexed was prepared more than 10 days before the first public hearing.
- (C) Notice of the availability of the report was published twice in a newspaper of general circulation in the area to be annexed.
- (D) The public hearings were held during City Council meetings, and concluded after providing an opportunity for all persons present to be heard with respect to the proposed annexation.
- (E) The Regulatory Plan, as amended by City Council, shall be approved by separate ordinance.
- (F) The limited purpose annexation of this territory serves the interests of the current and future residents of the City of Austin.
- (G) All procedural requirements imposed by state law for the limited purpose annexation of the territory described in Exhibit A have been met.

PART 2. The present boundary limits of the City are amended to include the territory described in Exhibit A for limited purposes. The territory is within the extraterritorial

1 jurisdiction of the City of Austin in Travis and Hays Counties, Texas. The territory is
2 annexed into the City for the limited purposes of planning and zoning.

3 **PART 3.** The City Council declares that its purpose is to annex to the City of Austin
4 each part of the area described in Exhibit A as provided in this ordinance, whether any
5 other part of the described area is effectively annexed to the City. If this ordinance is
6 held invalid as to any part of the area annexed to the City of Austin, that invalidity does
7 not affect the effectiveness of this ordinance as to the remainder of the area.

8 If any area or lands included within the description of the area set out in Exhibit A are:
9 (1) presently part of and included within the general limits of the City of Austin; (2)
10 presently part of and included within the limits of any other city, town, or village; or (3)
11 are not within the jurisdiction or power of the City of Austin to annex, then that area is
12 excluded and excepted from the area annexed.

13 **PART 4.** This ordinance takes effect on _____, 2006.

14 **PASSED AND APPROVED**

15 _____, 2006

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19 Will Wynn
Mayor

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23 **APPROVED:**

24 David Allan Smith
25 City Attorney

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27
28 **ATTEST:**

Shirley A. Gentry
City Clerk