



## Recommendation for Action

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**File #:** 20-1782, **Agenda Item #:** 18.

4/23/2020

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### **Posting Language**

Approve an ordinance releasing Tract 2 (55 acres) from the 5200 McKinney Falls Parkway Annexation and Development Agreement Area agreement (adjacent to District 2).

### **Lead Department**

Planning and Zoning

### **Fiscal Note**

This item has no fiscal impact.

### **Prior Council Action:**

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### **For More Information:**

Andrei Lubomudrov, Planning and Zoning Department, (512) 974-7659.

### **Council Committee, Boards and Commission Action:**

NA

### **Additional Backup Information:**

In 2009, the City entered into an annexation and development agreement for two tracts (total 69 acres) along McKinney Falls Parkway with the property owner in lieu of completing full-purpose annexation at that time. The agreement allowed 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. Authorized by Section 43.035 of the Texas Local Government Code, the agreement 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.

The applicant is requesting that Tract 2 (55 acres) be released from the annexation and development agreement so the property may be conveyed and developed. The applicant is proposing to use the property for general industrial use as reflected under the (LI) zoning designation of the current zoning code. The applicant believes this is compatible with heavy commercial and industrial uses and access to a major arterial roadway.

Due to changes in state law since adoption of the agreement in 2009, staff believes an annexation of this tract would require a separate action and public hearing to constitute consent to annexation.

### **Strategic Outcome(s):**

Government that works for all