



## Recommendation for Action

---

**File #:** 20-2544, **Agenda Item #:** 7.

7/30/2020

---

### **Posting Language**

Conduct a public hearing and approve an ordinance adopting the Second Amendment to the 5200 McKinney Falls Parkway Annexation and Development Agreement to release Tract 2 from the agreement (adjacent to District 2).

### **Lead Department**

Planning and Zoning

### **Fiscal Note**

This item has no fiscal impact.

### **For More Information:**

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

### **Additional Backup Information:**

This amendment to the 5200 McKinney Falls Annexation and Development Agreement (The Agreement) is intended to be taken together with the full-purpose annexation of the above referenced tract. The item would release a tract (Tract 2, about 56 acres) from The Agreement. Approving a release of this tract from The Agreement, along with full-purpose annexation, would facilitate the property being conveyed and developed. The applicant has indicated the land may be developed with a general industrial use as permitted under the (LI) zoning designation of Title 25, which could be subsequently pursued.

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.

Approving this item would release Tract 2 from The Agreement but would not alter terms for the balance of included property (about 13 acres).

Staff recommends releasing Tract 2 from The Agreement as proposed in conjunction with full-purpose annexation.