



## Recommendation for Action

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**File #:** 21-1893, **Agenda Item #:** 15.

6/3/2021

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### **Posting Language**

Approve an ordinance terminating the 5200 McKinney Falls Parkway Annexation and Development Agreement (adjacent to District 2).

### **Lead Department**

Housing and Planning

### **Fiscal Note**

This item will have no fiscal impact.

### **For More Information:**

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

### **Additional Backup Information:**

This termination of the 5200 McKinney Falls Annexation and Development Agreement (the Agreement) is intended to be taken together with the full-purpose annexation of the remaining land subject to the agreement. The item would remove the remaining 14.0 acres from the terms of the Agreement. Terminating the Agreement, along with full purpose annexation, would facilitate the property being conveyed and developed. The applicant has indicated the land is intended to be developed with a multi-family residential use.

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 43.016 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.

On July 30, 2020, City Council approved an annexation of the larger Tract Two (55 acres), at the same time releasing it from the Agreement. Terminating the Agreement along with annexation would extend a similar action to the remaining Tract One (14.0 acres), releasing it for development under Title 25 regulations.

Staff recommends terminating the Agreement in conjunction with full-purpose annexation.

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

Government that Works for All.