



## Recommendation for Action

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**File #:** 21-1892, **Agenda Item #:** 83.

6/3/2021

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### **Posting Language**

Conduct a public hearing and approve an ordinance for the full-purpose annexation of approximately 14.0 acres located in Travis County near 5200 McKinney Falls Road; and ratify an agreement with the owner of the land for the provision of services. The property is currently subject to an annexation and development agreement and is adjacent to Austin Council District 2.

### **Lead Department**

Housing and Planning.

### **Fiscal Note**

This item has no fiscal impact.

### **For More Information:**

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

### **Additional Backup Information:**

This item proposes full-purpose annexation of a 14-acre property adjacent to District 2 in southeast Austin. The subject property is adjacent to McKinney Falls Park at approximately 5200 McKinney Falls Rd. The property is subject to the 5200 McKinney Falls Annexation and Development Agreement (the "Agreement") executed between the property owner and the City of Austin in 2009. The Agreement, which sunsets in 2024, is one of several such agreements that once helped the City meet contiguity criteria needed for annexations. This annexation is brought for consideration in conjunction with termination of the Agreement.

The current use of the property is pastureland/agriculture. Terminating the Agreement would release the tract so it could be developed as a non-agricultural use subject to Title 25 development regulations. The applicant has not requested zoning to run concurrent with annexation but is seeking a zoning change from the automatic post-annexation interim designation I-RR. Development plans are for multi-family using Low Income Housing Tax Credits.

Before a municipality may adopt an ordinance annexing an area on request of the owner, the governing body must negotiate and enter into a written agreement with the property owner for the provision of services in the area. State law also requires a municipality to conduct a public hearing to provide persons interested in annexation the opportunity to be heard. The City Council may adopt an ordinance annexing the area for full purposes at the conclusion of the public hearing.

Staff recommends City Council conduct the public hearing for this annexation case, C7a-2021-0002, and approve an ordinance as required by Texas law for the owner-initiated full-purpose annexation of 14.0 acres in Travis County near 5200 McKinney Falls Parkway.

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

Government that Works for all.