



Recommendation for Action

File #: 20-2357, **Agenda Item #:** 98.

6/11/2020

Posting Language

Set a public hearing concerning full purpose annexation of approximately 56 acres located in Travis County, located near 5200 McKinney Falls Road, and authorize negotiation and execution of a written agreement with the owner of the land for the provision of services. The property is currently part of an annexation and development agreement and is adjacent to Austin Council District 2. (Suggested date: July 30, 2020, Austin City Hall, 301 W. Second Street, Austin, TX).

Lead Department

Planning and Zoning

Fiscal Note

This item will have no fiscal impact.

For More Information:

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Additional Backup Information:

This item sets a public hearing for the full purpose annexation of a 56-acre property adjacent to District 2 in southeast Austin. The subject property is situated near McKinney Falls State Park between McKinney Falls and Burleson Road. 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. These agreements are no longer considered by Texas cities since annexations now generally require owner consent.

If Council were to set a public hearing, the annexation would be brought forth for consideration along with an amendment to the Agreement. The requested amendment would release one of two tracts (Tract 2) included in the Agreement in 2009. The tract would then be able to develop as a non-agricultural use subject to development rules that apply in Austin's full purpose jurisdiction. The applicant has not requested a zoning change concurrent with annexation. As such, if the property is annexed, it will receive the interim zoning designation of I-RR.

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 that City Council set the public hearing and authorize negotiation and execution of a service agreement required by Texas law for the owner-initiated full purpose annexation of property.