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| Property Location | 503 N. Old Stagecoach Road, Kyle, Texas 78640 |
| Owner | Tom & Mary Ayers 1001 S. Sledge Street Kyle, TX 78640 |
| Agent | C. Michael Bowen 1841 S. Lakeline Blvd, Ste 101-103 Cedar Park, TX 78613 |
| Request | Voluntary Annexation, 17.19 Acres |

Site Description

The site is located at 1001 S. Sledge Street, on land consisting of 17.19 acres between West 3rd Street and Opal Lane. Currently, the parcel is utilized for agriculture purposes and is located outside the city limits. There is a non-annexation development agreement associated with the property, allowing continuation of agricultural uses. However, if the property owner, or agent representing the property owner submits any development permit application (zoning, platting, site plan), voluntary annexation is triggered. It is expected that the property will be developed as single family residential upon approval of zoning by City Council.

Per the development agreement and Sec. 43.028 of the Texas Local Government Code, the property meets the following requirements:

- One half mile in width or less;
- Contiguous to the annexing municipality; and
- Has fewer than three (3) registered voters in residence.

This means that a public hearing is not required, however, the City of Kyle has found that it is in the best interest to exceed minimum requirements to allow the public an opportunity to voice any concerns or support relating to the annexation.

Sec. 43.028. Authority of Municipalities to Annex Sparsely Occupied Area on Petition of Area Landowners

Sec. 43.028

(a) This section applies only to the annexation of an area:

- (1) that is one-half mile or less in width;
- (2) that is contiguous to the annexing municipality; and
- (3) that is vacant and without residents or on which fewer than three qualified voters reside.

(b) The owners of the area may petition the governing body of the municipality in writing to annex the area.

(c) The petition must describe the area by metes and bounds and must be acknowledged in the manner required for deeds by each person having an interest in the area.

(d) After the 5th day but on or before the 30th day after the date the petition is filed, the governing body shall hear the petition and the arguments for and against the annexation and shall grant or refuse the petition as the governing body considers appropriate.

(e) If the governing body grants the petition, the governing body by ordinance may annex the area. On the effective date of the ordinance, the area becomes a part of the municipality and the inhabitants of the area are entitled to the rights and privileges of other citizens of the municipality and are bound by the acts and ordinances adopted by the municipality.

Recommendation

Considering the proposed development follows the 2017 Comprehensive Plan, staff asks the City Council to approve the annexation.

Attachments

- Application
- Location Map