

A17-0002 Blue Beacon

Julie Wyatt, Planning Division

June 6, 2017



Request

- ▶ Conduct the second of two readings and take final action on an ordinance to annex approximately 16 acres generally located on the north side of Barthold Road, approximately 340 feet west of the I-35 Southbound Service Road



Annexation Schedule

- ▶ April 4, 2017 - Public Hearing
- ▶ April 18, 2017 - First Reading of the Annexation Ordinance
- ▶ June 20, 2017- Second Reading and Adoption of the Annexation Ordinance

Ordinance

- ▶ An ordinance of the City of Denton annexing approximately 16 acres generally located on the north side of Barthold Road, approximately 340 feet west of the I-35 Southbound Service Road., more specifically described in Exhibit “A” and illustrated in Exhibit “B”, which area abuts and is adjacent to the City limits so as to include the property within the City limits; granting to all the inhabitants of the property all the rights and privileges of other citizens, and binding the inhabitants to all of the ordinances, resolutions, acts, and regulations of the city; providing for a correction to the city map to include the annexed lands; providing for a severability clause; and providing an effective date.

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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DENTON ANNEXING APPROXIMATELY 16 ACRES GENERALLY LOCATED ON THE NORTH SIDE OF BARTHOLD ROAD, APPROXIMATELY 340 FEET WEST OF THE I-35 SOUTHBOUND SERVICE ROAD., MORE SPECIFICALLY DESCRIBED IN EXHIBIT “A” AND ILLUSTRATED IN EXHIBIT “B”, WHICH AREA ABUTS AND IS ADJACENT TO THE CITY LIMITS SO AS TO INCLUDE THE PROPERTY WITHIN THE CITY LIMITS; GRANTING TO ALL THE INHABITANTS OF THE PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS, AND BINDING THE INHABITANTS TO ALL OF THE ORDINANCES, RESOLUTIONS, ACTS, AND REGULATIONS OF THE CITY; PROVIDING FOR A CORRECTION TO THE CITY MAP TO INCLUDE THE ANNEXED LANDS; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE (A17-0002).

WHEREAS, pursuant to Section 43.028, Texas Local Government Code (the “Statute”), a home rule city is authorized to annex sparsely occupied areas on petition of area landowners; and

WHEREAS, petitioner 1311, LLC (“Petitioner”) owns approximately 16 acres of land in the extrajurisdictional jurisdiction of the City of Denton, Texas, generally located on the north side of Barthold Road, approximately 340 feet west of the I-35 Southbound Service Road, and is more particularly described in Exhibit A and illustrated in Exhibit B both attached hereto and incorporated by reference herein (“Property”); and

WHEREAS, the Property is one-half miles or less in width, is contiguous to the City, and is vacant and without residents pursuant to Sec. 43.028 (a) of the Statute; and

WHEREAS, the Petitioner submitted a Petition Requesting Annexation by Landowner to the City on March 9, 2017, for the purposes of requesting that the Property be annexed, attached as Exhibit C; and

WHEREAS, a public hearing was held with the City Council on April 4, 2019, which was noticed in accordance with the Statute; and

WHEREAS, annexation proceedings were instituted for the Property described herein at the first reading of the ordinance conducted at the City Council meeting on April 18, 2017; and

WHEREAS, this ordinance has been published in full one time in the official newspaper of the City of Denton after annexation proceedings were instituted and thirty days prior to City Council taking final action, as required by the City Charter; and

WHEREAS, a second reading of the ordinance was conducted at the City Council meeting on June 6, 2017, and the City Council finds that annexing the Property is in the best interest of the citizens of the City of Denton and will allow the City to ensure development consistent with the Denton Plan as it is now written or as it may be modified by the City from time to time, NOW, THEREFORE,

