



Legislation Details (With Text)

**File #:** A16-0004      **Version:** 1      **Name:**

**Type:** Ordinance

**File created:** 9/30/2016      **In control:** City Council

**On agenda:** 2/21/2017      **Final action:**

**Title:** Consider adoption of an ordinance of the City of Denton, Texas setting dates, times, and place for public hearings on the proposed annexation of certain property generally located north of Ryan Road, west of FM 2181 (Teasley Lane) and Lake Forest Good Samaritan Village, and east of Country Club Road by the City of Denton, Texas, authorizing and directing the City Secretary to publish notice of such public hearings.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 - Location Map, 2. Exhibit 2 - Zoning Map, 3. Exhibit 3 - Draft Ordinance, 4. Exhibit 4 - Staff Presentation

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**AGENDA INFORMATION SHEET**

**DEPARTMENT:** Department of Development Services

**ACM:** Jon Fortune

**DATE:** February 21, 2016

**SUBJECT**

Consider adoption of an ordinance of the City of Denton, Texas setting dates, times, and place for public hearings on the proposed annexation of certain property generally located north of Ryan Road, west of FM 2181 (Teasley Lane) and Lake Forest Good Samaritan Village, and east of Country Club Road by the City of Denton, Texas, authorizing and directing the City Secretary to publish notice of such public hearings.

**BACKGROUND**

On March 3, 2015, the City Council adopted Ordinance 2015-072, accepting a Non-Annexation Agreement (NAA) for agricultural, wildlife management, or timberland use properties within an area of land generally located on the north and south sides of Ryan Road, consisting of approximately 85 acres. The subject property was included in the NAA.

The NAA was scheduled to terminate on March 1, 2016. However, prior to termination of the NAA, the property owner(s) requested an extension of the NAA to enable the creation of a Pre-Annexation Development Agreement (PADA) pursuant to the Local Government Code for the properties located on the south side of Ryan Road. The 4.7 acre subject property was not included in the PADA.

On February 16, 2016, staff presented to City Council an analysis outlining the intent of a PADA and associated advantages of creating a comprehensive development agreement for the subject site. On March 1, 2016, the City Council extended the NAA for an additional 120 days to afford staff and the developer the opportunity to author the proposed PADA. With the extension, the NAA was scheduled to expire on June 29, 2016. On June 7, 2016, staff requested a second extension of the NAA to allow more time for the PADA preparation. At the meeting, the City Council extended the NAA for an additional 90 days. With the extension, the NAA was scheduled to expire on September 5, 2016. On August 9, 2016, the PADA was presented to City Council and on August 16, 2016, the City Council approved PADA. Since the 4.7 acre subject property was not included in the PADA, is already developed and with no reason to extend the NAA, the City Council directed staff to initiate an involuntary annexation of the subject property.

The purpose of this ordinance is to establish public hearing dates for the annexation. The tentative schedule for this annexation is as follows:

- February 21, 2017 - City Council meeting setting the 1<sup>st</sup> and 2<sup>nd</sup> public hearing dates and authorizing the publication of notice of the public hearings
- March 7, 2017 - 1<sup>st</sup> Public Hearing
- March 21, 2017 - 2<sup>nd</sup> Public Hearing
- April 11, 2017 - First Reading of the Annexation Ordinance
- April 12, 2017 - Publication of the Annexation Ordinance in the newspaper
- May 16, 2017 - Second Reading and Adoption of the Annexation Ordinance

### **OPTIONS**

1. Approve as submitted.
2. Approve subject to conditions.
3. Deny.
4. Postpone consideration.
5. Table item.

### **RECOMMENDATION**

Staff recommends approval of the Ordinance setting dates, times, and place for public hearings on the proposed annexation of the subject property.

### **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

March 3, 2015, the City Council adopted Ordinance 2015-072, approving an NAA for the subject property with a term set to expire on March 1, 2016.

February 16, 2016, the City Council received a presentation from staff on the intent and potential benefits of a PADA and requested extension of the NAA.

March 1, 2016, the City Council adopted Ordinance 2016-079, extending the NAA for 120 days, expiring June 29, 2016.

June 7, 2016, the City Council adopted Ordinance 2016-156, extending the NAA for 120 days, expiring September 5, 2016.

August 9, 2016, the City Council received a presentation from staff on the general framework and requirements of the proposed PADA.

August 16, 2016, the City Council approved PADA.

### **STRATEGIC PLAN RELATIONSHIP**

The City of Denton’s Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

**Related Key Focus Area:**      **Economic Development**  
**Related Goal:**                      **3.4 Encourage development, redevelopment, recruitment, and retention**

### **EXHIBITS**

1.      Location Map
2.      Zoning Map
3.      Draft Ordinance
4.      Staff Presentation

Respectfully submitted:  
Munal Mauladad  
Director of Development Services

Prepared by:  
Ron Mengueta  
Long Range Planning Administrator