



# City of Pflugerville

## Legislation Text

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**File #:** ORD-0620, **Version:** 1

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Conduct a public hearing and consider approving a disannexation ordinance on first reading with the caption: An ordinance of the City of Pflugerville, Texas, disannexing, for full purposes, two tracts of land totaling approximately 11.706 acres of land situated in the John Leisse Survey No. 18, Abstract No. 496, in Travis County, Texas, of the Real Property Records of Travis County, generally located north and west of Cameron Road, east of Weiss Lane and south of Jesse Bohls Road; contracting the boundaries of the City to exclude land; to be known as the Carmel East Disannexation; providing for severability; and providing an effective date.

Chapter 43, Section 43.142 of the Texas Local Government Code authorizes municipalities to disannex an area in the municipality according to the rules as may be provided by the charter of the municipality and not inconsistent with the procedural rules prescribed by Chapter 43.

The property owner has petitioned the City for disannexation of the subject property so that it may be annexed into the Travis County Municipal Utility District No. 24 pursuant to the 3rd amendment to the Carmel development agreement. The proposed disannexation consists of approximately 11.706 acres immediately north and east of 1849 Park.

When the Carmel East (MUD #24) was created there was an overlap of the survey that had the MUD boundary shown over the existing city limits. This overlap was identified by staff and discussed with the applicant. After the layout of Carmel east subdivision was complete the boundary of the area within the MUD could be more clearly surveyed, defining the specific, and limited area, of disannexation needed to remain in the MUD. A portion of that overlap, the 11 acres is intended to be developed with single family homes, streets and open space that will be part of the Carmel East subdivision. The balance of the overlap will remain in the city limits and will be removed from the MUD as part of the 3<sup>rd</sup> Amendment to the Carmel Development Agreement, also on the agenda. The disannexation allows for Carmel East to be constructed cohesively as MUD #24. City services are not required to serve this area until such time it is annexed back into the city limits. Adjacent development is not anticipated to be impacted as 1849 Park is immediately west of this area and this change does not impact the development of that tract and contiguousness for future city limits is also not anticipated to be impacted by this change.

While it is rare that we disannex property from the city limits there have been instances in the past, as development of MUDs occurs, that similar actions have been taken. Examples of previous disannexation occurred in 2005, when the City disannexed 171 acres south of Lake Pflugerville pursuant to the Cactus / Wildflower Development Agreement with the intent of being included within a MUD. However, the Development Agreement was further amended in 2008 to include a land swap associated with the Sorento development, which allowed the City to pursue annexation of the subject tracts shown below. (per Ordinance No. 803-05-11-08). Another occurred In 2009, when the City disannexed approximately 119 acres of land pursuant to the Second Amendment to the (Wildflower/Cactus) Development Agreement Regarding Bohls North and PCDC tracts. The land was previously owned by PCDC and is the northern portion of the Sorento development. (per Ordinance

No. 992-09-04-14)

**Prior City Council Action**

N/A

**Deadline for City Council Action**

Consider approval on first reading of the disannexation ordinance on November 30, 2021.

**Future City Council Action**

Consider approval on second reading of the disannexation ordinance on December 14, 2021.

**Funding Expected:** Revenue  Expenditure  N/A

**Budgeted Item:** Yes  No  N/A

**Amount:**  N/A

**1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  Date Completed: October 28, 2021

**Supporting documents attached:**

Ordinance

Locator Map

**Recommended Actions**

Conduct public hearing

Motion to close public hearing

Motion to approve the Carmel East Disannexation ordinance on first reading.