



CITY OF MCKINNEY, TEXAS

Legislation Details (With Text)

File #: 24-0001A2 **Name:** Custer Right-of-Way Annexation
Type: Agenda Item **Status:** Public Hearing
In control: City Council Regular Meeting
On agenda: 3/5/2024 **Final action:**
Title: Conduct a Public Hearing to Consider/Discuss on a Request by the City of McKinney to Enlarge and Extend the Boundary Limits of the City and to Annex (Case No. 24-0001A) the Subject Property, Located from the Road Centerline of Farm to Market Road 2478 (Custer Road) Right-of-Way to the Eastern Right-of-Way Boundary, from the North Side of State Highway 121 to the South Side of Westridge Boulevard into the City of McKinney's Corporate Limits

Indexes:

Attachments: 1. Location Map and Aerial Exhibit, 2. Custer Road Annexation Service Plan, 3. Presentation

Date	Ver.	Action By	Action	Result
3/5/2024	1	City Council Regular Meeting		

Conduct a Public Hearing to Consider/Discuss on a Request by the City of McKinney to Enlarge and Extend the Boundary Limits of the City and to Annex (Case No. 24-0001A) the Subject Property, Located from the Road Centerline of Farm to Market Road 2478 (Custer Road) Right-of-Way to the Eastern Right-of-Way Boundary, from the North Side of State Highway 121 to the South Side of Westridge Boulevard into the City of McKinney's Corporate Limits

COUNCIL GOAL: Direction for Strategic and Economic Growth

MEETING DATE: March 5, 2024

DEPARTMENT: Development Services - Planning Department

CONTACT: Jennifer Arnold, AICP, Director of Planning
Caitlyn Strickland, AICP, Planning Manager
Kaitlin Sheffield, CNU-A, Senior Planner
Jeremy Page, City Attorney

RECOMMENDED CITY COUNCIL ACTION:

- Receive public comment regarding the proposed annexation.

ITEM SUMMARY:

- In accordance with Section 43.1055 of the Texas Local Government Code, this item is to conduct the second of three public hearings in association with the city-initiated annexation of road rights-of-way on request or without objection of owner or maintaining political subdivision into the corporate limits of McKinney.

- In accordance with State Law, the purpose of the public hearings is to provide interested persons with an opportunity to comment on the proposed annexation and associated Service Plan. No formal action on the proposed annexation occurs during these public hearings.
- The area proposed to be annexed is within the McKinney Extraterritorial Jurisdiction (ETJ), located from the road centerline of Farm to Market Road 2478 (Custer Road) right-of-way to the eastern right-of-way boundary, from the north side of State Highway 121 to the south side of Westridge Boulevard. The purpose of the ETJ is to promote and protect the general health, safety and welfare of persons residing in and adjacent to municipalities. While the Subdivision Ordinance applies to properties within the ETJ, the Zoning Ordinance does not.

BACKGROUND INFORMATION:

- The city-initiated annexation of road rights-of-way on request or without objection of owner or maintaining political subdivision is governed by Chapter 43, Sub-Chapter C-1 of the Local Government Code.
- Annexation pursuant to Chapter 43, Sub-Chapter C-1 and Section 43.1055 of the Local Government Code must comply with the following procedures (summarized from state law):
 - Mailed notice to property owners.
Mailed notice must be sent to each property owner in the area proposed for annexation that includes information about the proposed annexation. (*Mailed February 1, 2024*)
 - 1st Public Hearing.
Following the mailed notice to the property owners, an initial public hearing shall be held by City Council regarding the proposed annexation.
 - 2nd Public Hearing.
Following the first public hearing, a 2nd public hearing shall be held by City Council regarding the proposed annexation.
 - Final Public Hearing.
Should the city not receive objection by the owner or maintaining political subdivision of the right-of-way, a final public hearing shall be held by City Council to consider the annexation of the proposed area, pursuant to Section 43.063 of the Local Government Code.
- In accordance with Section 43.065 of the Texas Local Government Code, a service plan that outlines provision of services for the annexation area in the same manner by which the city extends services to any other area of the municipality was included with the approved resolution. The attached service plan includes the following sections:
 - A. Police Protection
 - B. Fire Protection
 - C. Fire Prevention
 - D. Solid Waste Collection

- E. Water Service
- F. Sanitary Sewer Service
- G. Streets
- H. Parks and Recreation
- I. Environmental Health and Code Enforcement Services
- J. Planning and Zoning
- K. Miscellaneous
- L. Capital Improvements Program
- M. Other Municipal Services

- The proposed annexation area is located within the McKinney, Frisco, and Allen Independent School Districts. McKinney ISD, Frisco ISD, and Allen ISD have been informed of the proposed annexation.

FINANCIAL SUMMARY:

- Upon annexation, the City will be obligated to provide full municipal services as outlined in the service plan, attached.