



AGENDA MEMORANDUM

Resolution for the City Council Meeting October 31, 2023

DATE: October 31, 2023

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Directing Staff to Create a Municipal Service Plan for County Road 22 Annexation

CAPTION:

Resolution directing the City's Planning Department to prepare a service plan for the annexation of County Road (CR) 22 from CR 51 to CR 43.

SUMMARY:

This resolution directs the Planning Department staff to prepare a plan to provide city services to a proposed annexation area, which is a 19.41-acre portion of County Road (CR) 22, located one mile south of FM 43, between CR 51 and CR 43 as authorized by the Nueces County Commissioner's Court. The annexation of CR 22 right-of-way will facilitate the annexation and development of two future residential subdivisions on CR 22. Staff recommends approval of this resolution.

BACKGROUND AND FINDINGS:

Nueces County requested annexation of a four-mile section of CR 22 between CR 43 and CR 51, totaling 19.41 acres of land. The purpose of Nueces County's annexation request is to extend the city limit line so that it reaches two proposed development sites.

Once CR 22 is annexed into the City's limits, the two private properties will be made contiguous with the city limit line and the owners of those properties will be eligible, according to State law, to petition for City annexation. Superior H&H Development LLC, owner of the Charlotte Estates property at the southwest corner of CR 22 and CR 49, proposes to develop 111 half-acre single-family lots. LM & JM Investments LLC, owner of the London Ranch Estates property directly to the west of Charlotte Estates, proposes to build 108 half-acre single-family lots. Both subdivisions will use private septic systems and will connect to City water.

Texas Local Government Code 43.065, which applies to the annexation of a road and right-of-

way, requires that “before the publication of the notice of the first hearing required under Section 43.063, the governing body of the municipality proposing the annexation shall direct its planning department or other appropriate municipal departments to prepare a service plan that provides for the extension of full municipal services to the area to be annexed.”

The service plan will outline how the City will provide services to the right-of-way. The Service Plan for County Road 22 will be limited to street maintenance. Nueces County recently improved a portion of CR 22 west of SH 286 to CR 51 with asphalt pavement.

ALTERNATIVES:

Staff evaluated alternatives for creating “contiguity” for the properties, such as selecting different road rights-of-way that would reach the two petitioning properties. Such alternatives would have required the owners to work with additional neighboring property owners to create a connecting path to an existing City-limit boundary. After reviewing several proposed alternatives, the Nueces County Commissioners Court agreed to release the section of right-of-way now under consideration by the Council.

FISCAL IMPACT:

There is no immediate financial/fiscal impact associated with this resolution. In the future, the City will be responsible for funding road maintenance of this section of CR 22.

RECOMMENDATION:

Staff recommends approval of the resolution directing staff to prepare a municipal service plan for the annexation of County Road 22 from CR 51 to CR 43.

LIST OF SUPPORTING DOCUMENTS:

Resolution with Exhibit Map
Presentation
Nueces County Resolution