



## AGENDA MEMORANDUM

Second Public Hearing for the City Council Meeting of November 14, 2023

---

**DATE:** November 14, 2023

**TO:** Peter Zanoni, City Manager  
[PeterZ@cctexas.com](mailto:PeterZ@cctexas.com)  
361-826-3220

**FROM:** Daniel McGinn, AICP, Director of Planning and Community Development  
[DanielMc@cctexas.com](mailto:DanielMc@cctexas.com)  
361-826-7011

<p>Second Public Hearing on the Annexation of County Road 22 Between CR 51 and CR 43</p>
--

### **CAPTION:**

Second public hearing to discuss the annexation of County Road (CR) 22 between CR 51 and CR 43, being approximately 19.41 acres.

### **SUMMARY:**

The purpose of this item is to hold two public hearings required by State law for the annexation of a four-mile portion of County Road (CR) 22 between CR 51 and CR 43, which is in the London area approximately one mile south of FM 43/Weber Road. Nueces County agrees to this annexation, which will allow owners of private property abutting this portion of CR 22 to also request City annexation and receive City services and utilities.

### **BACKGROUND AND FINDINGS:**

Two landowners in the London area – Superior H&H Development LLC and LM & JM Investments LLC – submitted plans for new single-family developments located at the southwest corner of CR 22 and CR 49 with entrances off CR 22. These new developments, which are called Charlotte Estates and London Ranch Estates, are located outside city limits and the properties are not contiguous to the current city limit line. The developments are planning to use City water and other City services. Each lot will be one half-acre in size and have a private septic system. Charlotte Estates will have 111 lots and London Ranch Estates will have 108 lots. The property owners have requested annexation.

For a private property owner to be eligible to request annexation, State law requires the private property to be contiguous to the City limit line. Since the properties are not contiguous with the City limit line, the Nueces County Commissioner's Court requested the City to annex this portion of CR 22 to extend the City limit line to the developers' properties and create the needed "contiguity."

For the annexation of County ROW, Texas Local Government Code Section 43.063(a) requires that "...before a municipality may institute annexation proceedings, the governing body of the municipality must conduct two public hearings at which persons interested in the annexation are given the opportunity to be heard."

A Service Plan for the County ROW to be annexed outlines how the City will provide services to the subject property. The Service Plan for this portion of 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 property the developers owned, such as selecting different road ROWs that would extend from current city limits and reach the property or requiring the developers to work with neighboring private property owners to create a connecting path to the nearest City limit line. However, the Nueces County Commissioners Court requested that the city annex just this portion of CR 22 to provide the connection.

**FISCAL IMPACT:**

This item is a public hearing on the annexation of County ROW and no action will be taken today. If annexation of County ROW is approved at a later date, then the City will be responsible for funding road maintenance.

**Funding Detail:**

Fund: N/A  
Organization/Activity: N/A  
Mission Element: N/A  
Project # (**CIP Only**): N/A  
Account: N/A

**RECOMMENDATION:**

No decision about the annexation is being made today.

**LIST OF SUPPORTING DOCUMENTS:**

Presentation  
Resolution from Nueces County Commissioner's Court  
Property Description & Map