



AGENDA MEMORANDUM

Public Hearing/First Reading for the City Council Meeting of October 15, 2024
Second Reading for the City Council Meeting of October 22, 2024

DATE: September 23, 2024

TO: Peter Zaroni, City Manager

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

**Clarkwood Estates Annexation & Rezoning and
Annexation of a Portion of County Road 36**

CAPTION:

Ordinance annexing Clarkwood Estates subdivision, an 87.57-acre tract of land located at the northwest corner of Clarkwood Road (Farm to Market Highway (FM) 2292) and County Road (CR) 36 per owner petition; rezoning 84.71 acres from the "FR" Farm Rural District to the "RS-4.5" Single-Family 4.5 District; annexing an abutting 1.254-acre or 2,590-linear foot section of the CR 36 right-of-way per State law; providing for a penalty not to exceed \$2,000 and publication, and approving the related service plan. (6 votes required)

SUMMARY:

Upon petition by the landowner, Farahnakian Revocable Trust, this ordinance will annex the proposed Clarkwood Estates single-family subdivision and abutting paved portion of CR 36 and it will rezone the property to "RS-4.5" Single-Family 4.5 District. Staff recommends approval of the annexation and rezoning.

BACKGROUND AND FINDINGS:

Description of the Request

The landowner, Farahnakian Revocable Trust (Nasser and Soroush Farahnakian Trustees), submitted plans for a new single-family development located at the northwest corner of Clarkwood Road (FM 2292) and CR 36. The new development, called Clarkwood Estates, is located outside city limits but is contiguous with the current city limit line. The landowners requested City annexation to secure City services for their development. Additionally, Texas Local Government Code 43.106 requires the City to annex the adjacent 1.254-acre section of CR 36 for the length that it abuts the property

(2,590 linear feet).

Upon annexation, the default zoning district for the newly annexed lands “FR” Farm-Rural District, which requires a minimum lot size of five acres, however, Farahnahkian Revocable Trust requested the rezoning of their property to the “RS-4.5” Single-Family 4.5 District, which permits lots of 4,500 square feet in area.

Description of the Proposed Developments

Clarkwood Estates is a proposed 87.57-acre single-family development of 476 single-family lots at the northwest corner of Clarkwood Road and CR 36 with planned entrances on both roads. Each new house will be connected to existing City water and wastewater lines that currently serve the abutting San Juan-Clarkwood neighborhood to the south.

The developer estimates the full build-out of the subdivision will occur within 10 years and each dwelling unit would have an average sales price of \$250,000.

City Services to Subject Property

The City already provides services to the San Juan-Clarkwood neighborhood to the south of the proposed development, Clarkwood Estates. The petitioning landowner has agreed to a Municipal Service Plan for Clarkwood Estates. Clarkwood Estates is located within the City of Corpus Christi’s Certificate of Convenience and Necessity (CCN) for water service, i.e. water jurisdiction, and will receive City water utility services from existing water lines in the area. The developer also intends for Clarkwood Estates to receive City wastewater utility service from existing lines in the area. The City will provide street maintenance services for the annexed section of CR 36, which is 2,590 linear feet from Clarkwood Road westward to the western limits of the subdivision. CR 36 is currently improved with asphalt paving in fair to poor condition. Clarkwood Road (FM 2292) is a TxDOT-owned and maintained road. San Juan Park is located to the south of the property across CR 36 and is owned and maintained by Nueces County.

The proposed development does not reach a threshold at which additional City Police substations, Fire stations, City Library, Health, Animal Control, or Parks and Recreation services are needed.

Compliance with City Annexation Guidelines

The City will evaluate property owner-initiated requests for annexation based on criteria stated in the Annexation Guidelines. The proposed annexation meets the following criteria:

Criteria 1. To protect public health and safety by:

c. Preventing unregulated development in areas that:

(i.) will have an adverse impact on adjacent areas within the City.

Criteria 2. To provide municipal services to:

a. Residential, commercial, and industrial land uses that would benefit from a

level of service calibrated for a city rather than an unincorporated area.

Criteria 3. Where property location is in:

- b. Areas contiguous to the City limit for which dense urban or suburban development activity is anticipated.

Criteria 5. Based on economic and fiscal impacts:

- c. Annexation of areas with proposed development that is fiscally feasible for both operating and capital improvements while maintaining current levels of service to existing residents.
- d. Annexation to ensure that areas benefiting from proximity to a large urban City are contributing revenue to offset the cost of providing services within an urban environment.
- e. (i.) An owner-initiated application for single-family residential development is unlikely to prove a positive fiscal impact and a fiscal impact analysis should not be used exclusively to evaluate an annexation. Therefore, other criteria should factor into the decision to annex.

ALTERNATIVES:

The land could remain outside city limits (OCL) and the City could offer the landowner an OCL water and wastewater contract for services, however, doing so would not be consistent with recent policy decisions and would not generate city tax revenue for an area that already benefits from existing City services. Therefore, this alternative is not a recommended course of action.

FISCAL IMPACT:

Departments indicated they could absorb the cost of providing services to the proposed development within current budgets.

Funding Detail: No funds are being encumbered with this action.

RECOMMENDATION:

Staff recommend approval of the annexation.

Staff and Planning Commission recommend approval of the requested rezoning.

LIST OF SUPPORTING DOCUMENTS:

Ordinance with Exhibits (Municipal Service Plan, Property Descriptions)

Landowner's Petition for Annexation

Zoning Report

Presentation