

ORDINANCE NO. 14,115

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS, MAKING CERTAIN FINDINGS; PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF BAYTOWN, TEXAS, AND THE ANNEXATION OF APPROXIMATELY 0.47 ACRES LOCATED ALONG THE EAST BOUND FRONTAGE ROAD OF I-10 APPROXIMATELY 2,536 FEET EAST OF THOMPSON ROAD, ADDRESSED AS 2402 INTERSTATE 10 HWY, AND LEGALLY DESCRIBED AS TRACT 2G-2, BLOCK 2, ELENA FRUIT & COTTON FARMS D, HARRIS COUNTY, TEXAS, WHICH SAID TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS FOR THE CITY OF BAYTOWN, TEXAS.

WHEREAS, there being no request for an "on-site" hearing, two public hearings before the City Council of the City of Baytown, Texas, where all interested persons were provided with an opportunity to be heard on the proposed annexation of the property described in Section 2 of this ordinance, were held during the City Council meetings on the 13th day of June, 2019, and the 11th day of July, 2019, in the City Council Chamber of the City Hall of the City of Baytown, Texas; and

WHEREAS, notices of the first and second public hearings were published in a newspaper having general circulation in the City of Baytown, Texas, and in the below-described territories on the 31st day of May, 2019, and on the 26th day of June, 2019; and

WHEREAS, notice of the first and second public hearings were posted on the City of Baytown's notice board and website on the 30th day of May, 2019, and on the 25th day of June, 2019; and

WHEREAS, each notice posted on the City of Baytown's notice board and website remained posted until the date of the hearing referenced in the notice; and

WHEREAS, the total corporate area of the City of Baytown, Texas, on the 1st day of January, 2019, was 56.76 square miles; and

WHEREAS, the population of the City of Baytown, Texas, is approximately 81,718 inhabitants; and

WHEREAS, the below-described property lies within the extraterritorial jurisdiction of the City of Baytown, Texas; and

WHEREAS, the City Council of the City of Baytown finds that completely surrounding such area is in the public interest; NOW THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAYTOWN, TEXAS:

Section 1: That all matters and facts set forth in the recitals hereinabove are found to be true and such recitals are hereby approved and made a part of this ordinance for all purposes and are adopted as a part of the judgment and findings by the City Council of the City of Baytown, Texas.

Section 2: That the following described land and territories lying adjacent to and adjoining the City of Baytown are hereby added and annexed to the City of Baytown, Texas, and shall hereinafter be included within the boundary limits of the City of Baytown, Texas, and present boundary limits of such City, at the various points contiguous to the areas hereinafter described, are altered and amended so as to include said areas within the corporate limits of the City of Baytown, Texas, to-wit:

SEE EXHIBIT "A"


Section 3: The above-described territories and the areas so annexed shall be a part of the City of Baytown, Texas, and the property so added hereby shall bear its pro rata share of the taxes levied

by the City of Baytown, Texas, and the inhabitants thereof shall be entitled to all of the rights and privileges of all the citizens of the City of Baytown and shall be bound by the acts, ordinances, resolutions, and regulations of the City of Baytown, Texas.

Section 4: In accordance with Texas Local Government Code Annotated §43.056, as amended, the service plan prepared by the City for providing municipal services to the annexed areas is hereby approved and is attached hereto as Exhibit "B," and is incorporated herein by this reference for all intents and purposes.

Section 5: This ordinance shall be published and passed in the manner provided in Article 1, Section 9, of the Charter of the City of Baytown, Texas.

INTRODUCED, READ and PASSED by the affirmative vote of the City Council of the City of Baytown this the 11th day of July, 2019.



ROBERT C. HOSKINS, Mayor Pro Tem

ATTEST:


LETICIA BRYSCH, City Clerk



APPROVED AS TO FORM:


IGNACIO RAMIREZ, SR., City Attorney

INTRODUCED, READ and PASSED on the SECOND AND FINAL READING this the 25th day of July, 2019.

BRANDON CAPETILLO, Mayor

ATTEST:

LETICIA BRYSCH, City Clerk

APPROVED AS TO FORM:

IGNACIO RAMIREZ, SR., City Attorney

Exhibit "A"

A tract of land out of the Northwest Corner of that certain 5.66 acre tract, more or less, out of Block 2 of Unit "D" of Elena Fruit and Cotton Farms, Harris County, Texas, as reflected by the map or plat thereof of record in Volume 7, Page 49 of the Map Records of Harris County, Texas and described by metes and bounds as follows:

BEGINNING at a concrete highway monument found at the intersection of the West line of said 5.66 acre tract, more or less, and the Southerly right of way line of State Highway 10, said point being South, a distance of 19.56 feet from the Northwest corner of said 5.66 acre tract;

Thence North 86 degrees 02 minutes 10 seconds East along the Southerly right of way line of Interstate Highway 10, a distance of 135.32 feet to a 1/4 inch iron rod set for the Northeast corner of the herein described tract:

Thence South and parallel with the West line of said 5.66 acre tract, a distance of 139.80 feet to a 1/2 inch iron rod set for the Southeast corner of the herein described tract.

Thence West, a distance of 135.09 feet to a 1/2 inch iron rod set for the Southwest corner of the herein described tract on the West line of said 5.66 acre tract;

Thence North along the West line of said tract, a distance of 130.44 feet to the PLACE OF BEGINNING.

Exhibit "B"



City of Baytown Municipal Annexation Staff Report

Applicant:..... Jorge A. Valencia

Requested Action:..... Expand the municipal boundaries via voluntary annexation by approximately 0.47 acres

Subject area: Generally located on the south side of I-10 approximately 2,536 feet east of the intersection of I-10 and Thompson Road.

Date:..... June 13, 2019

Purpose of the Annexation:

The applicant is requesting to be annexed into the City of Baytown jurisdiction to obtain city services for future development and to obtain commercial designation for the subject tract.. Annexation of the subject area will allow the subject property to be governed by the standards administered by the City of Baytown.

Existing Conditions:

The subject area is developed with a metal building and is classified by Harris County Appraisal District (HCAD) as a commercial building. The subject area is in an unincorporated island that is neighbored by light industrial and general commercial land uses. The subject parcel has direct access onto the I-10 east bound frontage road.

Adjacent Land Use

	<i>North</i>	<i>South</i>	<i>East</i>	<i>West</i>
<i>Zoning Designation</i>	N/A	Unincorporated Harris County	Light Industrial	Unincorporated Harris County
<i>Land Use</i>	Interstate 10 Expressway	Vacant	Warehousing	Vacant

Comprehensive Plan Land Use Designation

The City of Baytown Future Land Use Plan (FLUP) designates the subject area to be Business Park.

- Business Park (Purple)
 - Accommodates business activities in planned campus-like settings with interdependent and complementary uses.

- Preferred uses and forms include office buildings of various heights, research and development facilities, light manufacturing, high-tech industries, warehousing, and distribution.
- Includes a mix of light industrial and retail uses, along with indoor and outdoor commercial activities.
- Development should have adequate access to freeways, major arterials, rail, and/or navigable waterways and be of variable depths along or near major arterials and freeways.
- Excludes heavy industrial uses.

Voluntary Annexation Considerations

1. Is the subject property included in an annexation study area or annexation plan?

No. The Annexation strategy prioritized other areas, but the subject parcel is a part of an existing unincorporated island, which fronts on the I-10 corridor.

2. Will the annexation of the subject area protect the best interest, health, safety and welfare of the public in general?

If City Council decides to annex the subject area, it will not have an adverse impact on the general welfare of the public or the service delivery to the area.

3. What is the relation of the proposed change to the city's Comprehensive Plan?

The applicant's purpose for annexation is to gain access to the City services. The applicant desires to use the subject parcel and the existing structure for commercial uses. The applicant is also pursuing a zoning map amendment for the General Commercial zoning district.

4. What effect will the annexation have upon the natural environment, social and economic conditions, and property values in the vicinity and in the City as a whole?

The proposed annexation would expand the city's jurisdictional boundary and assure that development is consistent with other development in the city.

Service Plan Summary:

Fire Department: The subject properties of the proposed annexation will be assigned to District Five (5).

The proposed annexation is located in the Emergency Service District (ESD) and already receives response and services from the Baytown Fire Department. Upon annexation, the area will continue to receive comparable levels of service as any area within the Baytown. Therefore, the annexation will not affect existing response times.

Police Department: The proposed annexation will not add to the response times. The subject area will be assigned to Police District 10.

Health Department: The annexation of the subject property will be assigned to the Neighborhood Protection Division.

Parks and Recreation Department: The proposed annexation will have no impact on the service delivery from this department.

Building Division: The proposed annexation will have no immediate impact. Inspection times will be dependent upon the volume and the types of development in the future.

Public Works Department: The individual proposed annexation will not negatively affect response times.

Engineering Department: No construction and/or expansion of any other service facility or any capital improvement is required of the City of Baytown.

Utility Billing Department: The subject properties of the proposed annexation will be assigned to Route 390. There are no existing service accounts in the proposed annexation area. The proposed annexation will not affect existing service delivery.

Staff Recommendation:

Staff recommends approval of the proposed annexation.