



# CITY OF ARANSAS PASS

## AGENDA MEMORANDUM

City Council Meeting of 2018

Date: May 15, 2018

To: Mayor and City Council

From: Roxann Pais Cotroneo, City Attorney

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**Title:** Conduct a public hearing to hear arguments for and against whether the City Council should grant a Petition to Voluntarily Annex into the City of Aransas Pass an area commonly known as 2705 West Wheeler Avenue, Aransas Pass, Texas 78336, San Patricio County Appraisal District Property ID No. 1032260 with a legal description of Part of Tract 5, Block 109, T.P. McCampbell 15.0 Acre Subdivision, San Patricio County, Texas, comprised of approximately 8.363 acres as recorded in Volume 1, Page 2, Map Records of Aransas County Texas.

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**PURPOSE:** Conduct a public hearing to hear arguments for and against whether the City Council should grant a Petition to Voluntarily Annex the above-described property also commonly known as 2705 W. Wheeler Ave or the Motel 6 site location.

**BACKGROUND AND FINDINGS:** On April 24, 2018, the City and Prayosha Construction ("Developer") and Priya Management LP (Landowner") of above-described property signed an Annexation and Development Agreement with the City.

In this agreement, the City agreed to:

- (1) Zone the property as a general business zoning district as provided in Section 212.172 of the Texas Local Government Code upon annexation; and
- (2) Pay for the cost of construction to connect the property into the City's existing wastewater and water systems.

The Landowner and Developer agreed to:

- (1) Develop the property as commercial property for the construction and operation of Motel 6;
- (2) Obtain all requisite permits and permissions from the Texas Department of Transportation for ingress and egress for the proposed development;
- (3) Submit construction plans and specifications for review and approval by the City on all street, drainage, and utilities with all plans to meet or exceed minimum standards for the City; and
- (4) Petition to voluntarily annex said Property into the city limits in accordance with Chapter 43 of the Texas Local Government Code.

Pursuant to Texas Local Government Code Section 43.028, this petitioned area of land is:

- (1) One-half mile or less in width;
- (2) Contiguous to the City boundaries; and
- (3) Vacant or without residents or on which fewer than three qualified voters reside.

On April 24, 2018, the developer and landowners petitioned the governing body in writing to annex the area. After the 5<sup>th</sup> day but on or before the 30<sup>th</sup> day after the date the petition is filed, the City Council shall:

- (1) Hear the petition;
- (2) Conduct a public hearing to hear arguments for and against the annexation; and
- (3) Grant or refuse the petition as the City Council considers appropriate.

**ALTERNATIVES:** None.

**CONFORMITY TO CITY POLICY:** Yes.

**EMERGENCY/NON-EMERGENCY:** This is non-emergency.

**LIST OF SUPPORTING DOCUMENTS:** None.