

## Legislation Text

---

**File #:** 6621, **Version:** 1

---

**CC MEETING:** April 2, 2024

**DATE:** March 22, 2024

**TO:** Erin Rinehart, City Manager

**FROM:** Loren Shapiro, AICP, Planning Manager  
Marc Guy, Assistant City Manager

**Hold A Public Hearing And Consider An Ordinance Annexing Approximately 2.719 Acres Of Land Located Entirely Within The Right-Of-Way Of West Plano Parkway, West Of The Intersection Of Charles Street And West Plano Parkway, To And Including The Intersection Of Warmington Drive And West Plano Parkway. Case No. PLANX 2024-032 West Plano Parkway Annexation.**

**BACKGROUND:**

This proposed annexation will bring the Plano Parkway right-of-way between Charles Street and Warmington Drive into the City of Carrollton. This right-of-way is in unincorporated Denton County and is owned by the State of Texas and administered by the Texas Department of Transportation (TxDOT). No private property is being annexed.

In 1982, the City annexed several acres of property west of Charles Street. For reasons unknown, the segment of street right-of-way between Charles Street and present-day Warmington Drive was not included in the annexation ordinance. This appears to be unintentional as City street maps from that period show this segment of Plano Parkway to be within the City of Carrollton. This unincorporated gap was discovered by the City's third party land surveyor during research for the upcoming boundary adjustment with Plano and the Town of Hebron on Charles Street north of Plano Parkway. The action to correct this gap is to formally annex it into the City.

Per the Texas Local Government Code, Sec. 43.1055, *Annexation Of Road Rights-Of-Way On Request Or Without Objection Of Owner Or Maintaining Political Subdivision*, the municipality (Carrollton) is required to provide written notice of the annexation to the owner of the right-of-way (TxDOT) through the owner's registered agent, if applicable, not later than the 61<sup>st</sup> day before the date of the proposed annexation. Staff sent a written notification to TxDOT on February 28, 2024.

Upon annexation, the City will be able to proceed with a mutual boundary adjustment with the City of Plano and the Town of Hebron for the segment of Charles Street north of Plano Parkway. The ordinance authorizing the City of Carrollton to enter into an agreement with the City of Plano and the Town of Hebron will be considered at a later date.

This is the first of two required public hearings in the annexation process. The second public hearing will be on May 21, 2024, at which time the City Council will vote on the proposed annexation ordinance.

**STAFF RECOMMENDATION/ACTION DESIRED:**

Staff recommends that City Council open the public hearing on the ordinance, accept public comments, then close the public hearing without taking action. The second public hearing and formal Council action on the annexation ordinance will occur on May 21, 2024.