
City Council Regular Meeting

DEPARTMENT: Development Services

FROM: Tony McIlwain, Development Services Director

MEETING: February 2, 2026

SUBJECT:

ETJ Release Petition for 2300, 2320, 2426, 2600, and 2612 N Cummings DR (Case 25-373): Consider and take possible action on a petition for release from the City of Burleson extraterritorial jurisdiction (ETJ) for approximately 113.89 acres of land addressed as 2300, 2320, 2426, 2600, and 2612 N Cummings DR. (Staff Contact: Tony McIlwain, Development Services Director) (No Planning and Zoning Commission action was required for this item)

STRATEGIC PRIORITY AND GOAL(S):

Strategic Priority	Strategic Goal
 Dynamic & Preferred City Through Managed Growth	2.2 Promote sustainable residential and commercial development through strategic and long-term planning

SUMMARY:

On January 6, 2026, a petition was submitted by James M. Spencer and Ava Ayers Spencer to be released from the extraterritorial jurisdiction (ETJ) of the City of Burleson on approximately 113.89 acres of land addressed as 1601 W FM 917 as shown on the attached Exhibit 2. Portions of the property (71.348 acres) are currently under a development agreement (attached as Exhibit 4).

RECOMMENDATION:

S.B. 2038 is being constitutionally challenged, recommend taking no action.

PRIOR ACTION/INPUT (Council, Boards, Citizens):

April 21, 2016: Development Agreement signed by property owner (Development Agreement expires June 20, 2041).

REFERENCE:

[88\(R\) SB 2038 - Senate Committee Report version - Bill Text \(texas.gov\)](#)

FISCAL IMPACT:

None.

STAFF CONTACT:

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