

THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.

AN ORDINANCE

AUTHORIZING AN AMENDMENT TO THE TALLEY ROAD SPECIAL IMPROVEMENT DISTRICT DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO, TALLEY EXTENSION REVITALIZATION INITIATIVE, LLC, A TEXAS LIMITED LIABILITY COMPANY, AND S & P LAND HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY.

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WHEREAS, the City Council passed Resolution No. 2018-11-29-0052R consenting to the creation of the Talley Road Special Improvement District ("PID") on November 29, 2018, which consisted of a total of 232.314 acres; and

WHEREAS, in consideration of the City's consent to the creation of the PID, the City and the then-Owner of the property entered into a Development Agreement setting forth terms and conditions with respect to the development of the property within the PID; and

WHEREAS, subsequent to the City Council's passage of the above resolution of consent and approval of the Development Agreement, the current Owner of the property submitted a petition to Bexar County to authorize the expansion of the boundaries of the PID by adding an additional 204.83 acre parcel of land which is currently owned by S & P Land Holdings, LLC, generally located northwest of the intersection of Tamaron Pass and Tally Road in Bexar County, Texas and within the City's extraterritorial jurisdiction, and is more particularly described in the field notes and map attached hereto as **Exhibit "A"**, subject to the approval and confirmation of the creation of the PID by the PID's Board of Directors; and

WHEREAS, Staff and the Owner of the property have determined that it is necessary to amend the Development Agreement to provide that in exchange for the City granting its consent to the extension of the PID boundaries, the Owner agrees that all terms and conditions provided in the original Development Agreement shall apply to the development of the additional 204.83 acre parcel, and that the Traffic Impact Analysis and Rough Proportionality determinations will be based on both parcels taken together as one development; and

WHEREAS, following a public hearing on March 27, 2019, the Planning Commission recommended approval of the additional 204.83 acre parcel being added to the existing PID and approval of the amendments to the Development Agreement; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or designee is authorized to execute a First Amendment to the Talley Road Special Improvement District Development Agreement (“PID”) between the City of San Antonio, Talley Extension Revitalization Initiative, LLC, and S & P Land Holdings, LLC (“First Amended Development Agreement”) a copy of which is attached hereto as **Exhibit B**, fully incorporated herein verbatim for all purposes.

SECTION 2. Said First Amended Development Agreement shall provide that all terms and conditions that applied to the City’s consent to the creation of the PID, originally consisting of 232.314 acres of land, under the original Development Agreement shall also apply to the additional 204.83 acre parcel that is to be added to the PID boundaries, and that the Traffic Impact Analysis and Rough Proportionality determinations shall be based on both parcels taken together as one development if the expansion of the PID’s boundaries is approved by the PID’s Board of Directors.

SECTION 3. The First Amended Development Agreement shall become effective upon approval of the expansion of the PID boundaries by the PID’S Board of Directors. If the expansion is not approved, the original Development Agreement shall remain in full force and effect.

SECTION 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 18th day of April, 2019.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney