



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-5607  
**Type:** Staff Briefing - Without Ordinance  
**In control:** Planning Commission

**On agenda:** 10/24/2018

**Title:** Public hearing and consideration of a resolution recommending the approval of a proposed annexation of a 15.99 acre property as requested by the property owners, the Herlinda Cantu Family LP, which is contiguous to the City limits of San Antonio and located within the City of San Antonio's Extraterritorial Jurisdiction (ETJ) in Bexar County. Staff recommends Approval. (Sidra Schimelpfening, Senior Planner, Planning Department, Sidra.Schimelpfening@sanantonio.gov, (210) 207-8187)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. PC Resolution Cantu 10\_09\_2018

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Planning

**DEPARTMENT HEAD:** Bridgett White, AICP

**COUNCIL DISTRICTS IMPACTED:** 9

**SUBJECT:**

Proposed annexation of a 15.99 acre property as requested by the Herlinda Cantu Family LP, the property owner and generally located southwest of the intersection of Northwind Boulevard and US Highway 281 N in Bexar County.

**SUMMARY:**

Public hearing and consideration of a resolution recommending the approval of a proposed annexation of a 15.99 acre property as requested by the Herlinda Cantu Family LP, the property owner, generally located southwest of the intersection of Northwind Boulevard and US Highway 281 N, which is contiguous to the City of San Antonio (COSA) limits and located within the San Antonio Extraterritorial Jurisdiction (ETJ) in Bexar County.

**BACKGROUND INFORMATION:**

On December 1, 2016, the San Antonio City Council approved Ordinance No. 2016-12-01-0898 which authorized Development Agreements between the COSA and owners of properties appraised for ad valorem tax purposes such as agricultural, wildlife management, or timber use within the 281 N Commercial Corridor Annexation Area. The Texas Local Government Code, Section 43.035, requires a development agreement be offered in lieu of annexation to qualifying properties. The Herlinda Cantu Family LP signed a development agreement for a period of ten years which guaranteed the continued extraterritorial status of the property.

On May 10, 2018, representatives for the Herlinda Cantu Family LP, submitted a request for full purpose annexation of 15.99 acres of land, in accordance with Chapter 43, Subchapter C-3 of the Texas Local Government Code. The property is generally located southwest of the intersection of Northwind Boulevard and US Highway 281 N, which is contiguous to the COSA limits and within the San Antonio Extraterritorial Jurisdiction (ETJ) in Bexar County (For an exhibit and field notes for the annexation area, see Attachment A). The subject property is 15.99 acres, is currently undeveloped, and the property owner is interested in developing the property for commercial uses.

The property is subject to the North Sector Plan and the current future adopted land use is Suburban Tier. The property owner is requesting “C-2” Commercial zoning district for the 15.99 acre parcel, which is consistent with the adjacent properties. The request for C-2 zoning is compatible with the adopted Suburban Tier land use.

**ISSUE:**

This is the Planning Commission public hearing and consideration of a resolution recommending the approval of the proposed Annexation of the 23211 US Highway 281 N Property and associated Service Agreement. As requested by the property owner, the proposed annexation will expand San Antonio’s municipal boundaries and the public service areas. The first City Council public hearing is scheduled for November 28, 2018 and the second public hearing and consideration is scheduled for December 13, 2018.

The Service Agreement (Attachment B) will address City services to be implemented and necessary capital improvements to be provided by the municipality after the area has been annexed. In addition, the map of the annexation area, public hearing dates, and contact information, will be available on the Planning Department’s webpage.

State law requires the municipality follow other annexation procedures, which includes the publication of the public hearing notice, two public hearings by the governing body and the adoption of the annexation ordinance. The notice for the first public hearing will be published on November 9, 2018 and the second public hearing notification will be published on November 23, 2018. Additionally, the City Charter of San Antonio requires consideration by the Planning Commission, and the publishing of the annexation ordinance 30 days prior to the final adoption. The draft ordinance will be published on November 9, 2018. Below is a proposed schedule for the annexation area.

<u>Dates</u>	<u>Required Actions</u>
<b>October 24, 2018</b>	Planning Commission Hearing and Consideration on Annexation
<b>November 6, 2018</b>	Zoning Commission Hearing and Consideration

**November 28, 2018** First City Council Public Hearing  
**December 13, 2018** Second City Council Public Hearing and Consideration  
**December 13, 2018** Effective Date of Annexation Ordinance

**ALTERNATIVES:**

The denial of the resolution would result in the Annexation Area remaining in unincorporated Bexar County.

**FISCAL IMPACT:**

The denial of the resolution would result in the Annexation Area remaining in unincorporated Bexar County.

**RECOMMENDATION:**

Staff recommends approval of the resolution regarding the Annexation Area and related service agreement for City Council to consider at their December 13, 2018 meeting.