



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-3315

**Type:** Miscellaneous Item

**In control:** City Council A Session

**On agenda:** 6/16/2016

**Title:** An Ordinance regarding the voluntary annexation of 202.79 acres located at 11625 Old Corpus Christi Highway and at South IH 37 as requested by II Southfork Development, LTD; and the adoption of a Municipal Service Plan. [Peter Zanoni, Deputy City Manager; Bridgett White, Interim Director, Planning and Community Development]

**Sponsors:** Planning Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment I Annexation Petition, 2. Attachment II, 3. Attachment III NaborsAerial20160425, 4. Attachment IV Annexation Service Plan 2016 04 26, 5. Attachment V PC Resolution, 6. Draft Ordinance, 7. Ordinance 2016-06-16-0478

Date	Ver.	Action By	Action	Result
6/16/2016	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Planning and Community Development

**DEPARTMENT HEAD:** Bridgett White, AICP

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

City Council consideration of a voluntary annexation of 202.79 acres located at 11625 Old Corpus Christi Highway and at South IH 37, as requested by II Southfork Development, LTD; and the adoption of a Municipal Service Plan.

**SUMMARY:**

An ordinance providing for extension of the City of San Antonio limits by the voluntary annexation of 202.79 acres consisting of 128.87 acres at 11625 Old Corpus Christi Highway, described as CB 4007 P-146 (128.376 Ac) and P-312 (0.497 Ac) ABS 11, and 73.92 acres, located at South IH 37, described as CB 40079-310 ABS 11, as requested by II Southfork Development, LTD; and the adoption of a Municipal Service Plan as required under Chapter 43 of the Texas Local Government Code.

**BACKGROUND INFORMATION:**

San Antonio of approximately 202.79 acres consisting of 128.87 acres at 11625 Old Corpus Christi Highway and 73.92 acres located at South IH 37. (*The annexation petition is attached as Attachment I and the site location map is attached as Attachment II.*) The proposed annexation area is contiguous to the City limits and within the City of San Antonio's Extraterritorial Jurisdiction (ETJ). Presently, the subject property is appraised for ad valorem tax purposes as agricultural, wildlife management or timber use (*A site location aerial is attached as Attachment III.*) The existing Owner, II Southfork Development, LTD is selling the property to Nabors Drilling USA, LP, who plans to construct and develop a centrally located facility to repair and manufacture rig components.

The City of San Antonio approved development agreements with the existing Owner for the two tracts (Ordinance No. 2014-01-09-0002) which are related to the January 2014 Limited Purpose Annexation of South San Antonio. The development agreements guaranteed the continued extraterritorial status of agriculture properties pursuant to Section 43.035 of the Texas Local Government Code. The agreements automatically terminate with the filing of a subdivision plat or related development document and include the owner's agreement to consensual annexation.

Both the existing and proposed Owners have requested to terminate the development agreements and request full purpose annexation by the City of San Antonio. Since this is a voluntary petition for annexation, the annexation does not require inclusion into a three-year municipal annexation plan. After annexation, the property would be located in City Council District 3.

Municipalities must follow the annexation procedures outlined by State law, including the governing body's direction to the Planning Department to prepare a municipal service plan, publication of the public hearing notification, two public hearings held by the governing body and the adoption of an annexation ordinance and a municipal service plan. In addition, the City Charter requires consideration by the Planning Commission, and the publication of the annexation ordinance 30 days prior to the final adoption.

On April 28, 2016, through Resolution (2016-04-28-0019R), the San Antonio City Council directed the Department of Planning and Community Development (DPCD) to prepare a service plan for this property prior to the publication of the notice of the required public hearing, in accordance to Chapter 43 of the Texas Local Government Code. Generally, a municipal service plan includes the method of providing city services, the service level, and when such services will be provided to the proposed annexation area. "Full municipal services" means city-level services including public safety services, such as, fire fighting, hazmat, and emergency medical services provided within the city limits. The Municipal Service Plan for the 202.93 acres is attached as Exhibit "IV".

As required by State law, the notices regarding the public hearings were posted on the City of San Antonio DPCP's internet web site, on April 28, 2016. This notice was published in the San Antonio Express-News newspaper on May 2, 2016. The Municipal Service Plan for 202.79 acres is available for public viewing at the DPCP Office, located at 1400 South Flores Street and is posted on the DPCP's internet web page.

The Heritage South Sector Plan designated the subject property as Agribusiness/RIMSE (*Research, Industrial, Manufacturing, Sport and Entertainment*) Tier land use, which recommends a variety of uses and intensities including light industrial uses. The property owners submitted a plan amendment for Specialized Center land use and an associated zoning change to "I-2" (Heavy Industrial) zoning district. The Specialized Center land use designation accommodates heavy industrial, business parks and offices. On May 11, 2016, the Planning Commission held a public hearing regarding the annexation and a plan amendment for the land use change and recommended approval. On June 7, 2016 the Zoning Commission will hold a public hearing on the proposed

zoning. Staff proposes that the proposed zoning of the annexation property is subject to the effective date of annexation.

On May 18 and 19, 2016, the City Council held public hearings on the proposed annexation of the subject property for full purposes. At the public hearings, the City presented the Service Plan as a requirement of Section 43.056(j) of the Texas Local Government Code. On May 18, 2016, the City published the ordinance in the San Antonio Express-News newspaper, thirty days prior to passage of the ordinance, as required by the City of San Antonio charter. The annexation ordinance is effective July 16, 2016 when the property is annexed into the City and services are provided.

### **ISSUE:**

Annexation of the subject property will provide a uniform level of City services across the development, thus avoiding the difficulties associated with multi-jurisdictional public safety boundaries. Once the subject property is annexed into San Antonio, it would benefit from standardized full City services including public safety services, such as police protection, fire fighting, hazardous material response (hazmat), and emergency medical services. The subject property will be served by the South Patrol Substation located at 711 W. Mayfield Street and by Fire Station No. 20 located at 3347 S W.W. White Rd and Fire Station No. 29 located at 827 Hot Wells. Fire Station No. 53, which will provide service to the annexation area, is anticipated to open on December 31, 2016. The proposed annexation will increase the City's public safety service area but will also expand the City's corporate area and tax base in the future.

In order to secure this competitive project in San Antonio, the City's Economic Development Department offered, and the company has accepted, a 6-year term with 50 percent tax abatement on personal property only. The final terms of the agreement are subject to City Council approval.

### **ALTERNATIVES:**

An alternative is that Council denies extending the City limits by full purpose annexation and zoning of the subject property in which it would remain as an unincorporated area within the ETJ and the accompanying incentive agreement would not be approved.

### **FISCAL IMPACT:**

The expansion of City Limits through full purpose annexation of the subject property will have a negligible fiscal impact. No significant fiscal impact related to services is anticipated since the subject property is contiguous to current City limits and will be served by existing public safety resources.

### **RECOMMENDATION:**

Staff recommends the Full Purpose Annexation of approximately of 202.79 acres located at 11625 Old Corpus Christi Highway and at South IH 37, as requested by II Southfork Development, LTD, and the adoption of a

Municipal Service Plan.

On May 11, 2016, the Planning Commission held a public hearing regarding the proposed annexation and land use plan amendment and recommended approval. (Attachment V)