



# City of San Antonio

## Agenda Memorandum

**File Number:** 16-5325

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**Agenda Item Number:** 3.

**Agenda Date:** 11/2/2016

**In Control:** City Council B Session

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**DEPARTMENT:** Planning and Community Development

**DEPARTMENT HEAD:** Bridgett White, AICP

**COUNCIL DISTRICTS IMPACTED:** Citywide

### **SUBJECT:**

First public hearing regarding the U.S. 281 North Corridor Annexation Area consisting of approximately 1.89 square miles.

### **SUMMARY:**

First public hearing regarding annexation of the U.S. 281 North Commercial Corridor which consists of approximately 1.89 square miles within San Antonio's extraterritorial jurisdiction (ETJ) in Bexar and Comal Counties along the U.S. 281 North right-of-way. The area begins approximately at the City limits of San Antonio south of Marshall Road and Northwind Boulevard in Bexar County and continues north along U.S. 281 North to approximately 1,830 feet south of Ancestral Trail in Comal County.

### **BACKGROUND INFORMATION:**

On December 4, 2014, the City of San Antonio approved a two-year plan to initiate limited purpose annexation of five priority areas, Interstate Highway 10 West, U.S. Highway 281 North, Interstate Highway 10 East in Phase 1; and U.S. Highway 90/Loop 1604 and U.S. Highway 151 in Phase 2. In October 2015, the proposed annexation was postponed to assess the annexation areas' financial and growth assumptions and conformance with the City's Comprehensive Plan's annexation policies.

On June 15, 2016 at a City Council "B" Session, City staff presented an alternate scenario for the U.S. Highway 281 area. The commercial corridor along U.S. Highway 281 North was proposed for full purpose annexation. [The map is attached as Exhibit A.] The U.S. 281 North Corridor is exempted from a three-year Municipal Annexation Plan because it contains less than 100 separate residential tracts of land. This proposed annexation

would be effective on December 31, 2016. The balance of the U.S. 281 North area including the majority of the residential properties would be placed in a three-year Municipal Annexation Plan that begins the annexation process and will allow the City to develop a non-annexation agreement postponing annexation until 2034. (On September 8, 2016, the U.S. 281 North Residential Area was included in a three-year Municipal Annexation Plan. City Council will have to approve the terms of the proposed non-annexation agreement in 2017.)

## **ISSUE:**

First public hearing regarding the U.S. 281 North Commercial Corridor Annexation Area consisting of approximately 1.89 square miles, within San Antonio's extraterritorial jurisdiction (ETJ) in Bexar and Comal Counties beginning approximately at the City limits of San Antonio south of Marshall Road and Northwind Boulevard in Bexar County and continuing north along US 281 North to approximately 1,830 feet south of Ancestral Trail in Comal County.

On September 8, 2016, via Resolution, the City Council directed the Department of Planning and Community Development (DPCD) to prepare a service plan for the U.S. 281 North Corridor (Annexation Area) prior to the notice publication of the required public hearing, in accordance with Chapter 43 of the Texas Local Government Code. The intent of the service plan is to provide specifics about the implementation of municipal services provided by the municipality after annexation for full purposes and their associated costs.

The U.S. 281 North Corridor consists of approximately 1.89 square miles with a variable width of up to 4,000 feet along the U.S. Highway 281 North right-of-way. The Annexation Area begins approximately at the City limits of San Antonio south of Marshall Road and Northwind Boulevard in Bexar County and continues north along U.S. Highway 281 North to approximately 1,830 feet south of Ancestral Trail in Comal County. The proposed Annexation Area is contiguous to the City limits of San Antonio and within the City's Extraterritorial Jurisdiction (ETJ). After annexation, the area would be located in City Council District 9.

The Annexation Area's primary existing land use is commercial, vacant and agricultural use. This area contains 221 parcels, of which only 18 are single family residential. Approximately 66% of the U.S. 281 North Corridor is within the Edwards Aquifer Recharge Zone.

Full municipal services will be provided to the area in accordance with Local Government Code 43.056(b). Under full purpose annexation, the City will enforce all ordinances, provide services as required by law, and assesses property and sales tax. Once the Annexation Area is annexed into San Antonio, it would benefit from standardized full City services protecting health, safety and well-being, including public safety services, such as police protection, fire fighting, hazardous material response (hazmat), and emergency medical services.

The Annexation Area will be served by the San Antonio Police Department (SAPD) North Patrol Substation, located at 13030 Jones Maltsberger Rd. San Antonio currently is negotiating the contract for fire service with Bexar/Bulverde Volunteer Fire Department medical emergency services (EMS) transports will be provided by the City.

State law requires that the municipality follow certain annexation provisions, which includes the publication of the public hearing notification, two public hearings by the governing body and the adoption of the annexation ordinance and a service plan for the proposed Annexation Area.

The City is publishing the availability of the "Service Plan for the U.S. 281 North Corridor" and will present it at the City Council public hearing as a requirement of Section 43.056(j) of the Texas Local Government Code. [The Service Plan for the U.S. 281 North Corridor is attached as Exhibit "B."] The Service Plan will be

available for public viewing at the DPCD Office, located at 1400 South Flores, and at other locations, and will be posted on the City's DPCD webpage. Below is the schedule for the U.S. 281 North Corridor Annexation Area:

**2016 Dates**    **Annexation Procedures**

September 8    City Council Direction to Prepare Service Plan  
September 9    Written notice provided to property owners and service providers  
September 28    Publish notice of both Public Hearings  
October 11    Publish the Ordinance  
October 12    Planning Commission Hearing and Consideration  
October 18    Zoning Commission Briefing and Consideration  
**November 2    First City Council Public Hearing**  
**November 9    Second City Council Public Hearing**  
December 1    City Council's Consideration and Action on Annexation Ordinance  
December 31    Date Annexation Ordinance is Effective (The day the property is annexed into the City and services are provided.)

**ALTERNATIVES:**

There is no alternative associated with this public hearing.

**FISCAL IMPACT:**

When considering all expenditures and revenues over a twenty year period for this annexation area, the net ending balance over a twenty year projection period is positive.

**RECOMMENDATION:**

Staff recommends that the first of two required public hearings for the US 281 North Commercial Corridor Annexation area be held on Wednesday, November 2, 2016 at 6:00 pm.