City of San Antonio

Legislation Details (With Text)

File #:	19-8773
Type:	Staff Briefing - Without Ordinance
In control:	Planning Commission
On agenda:	11/27/2019
Title:	Public hearing and consideration of the release of 1,019.6 acres of land from the City of San Antonio's Extraterritorial Jurisdiction at the request of Red Bird Legacy Ranch, LP. The subject property traverses the west Bexar County and east Medina County limits. (Rudy Nino, Assistant Director, Planning Department, 210-207-8389, rninojr@sanantonio.gov)
Sponsors:	
Indexes:	
Code sections:	
Attachments:	1. Redbird Ranch Petition

Date	Ver.	Action By	Action	Result

DEPARTMENT: Planning

DEPARTMENT HEAD: Bridgett White, AICP

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:
Consideration of a petition for release of 1,019.6 acres of land from the City of San Antonio's Extraterritorial Jurisdiction (ETJ) as requested from Redbird Legacy Ranch, LP. The subject property traverses the west Bexar County and east Medina County boundary.

SUMMARY:
Public hearing and consideration of a petition for release of 1,019.6 acres of land from the City of San Antonio's Extraterritorial Jurisdiction (ETJ) as requested from Redbird Legacy Ranch, LP., with future considerations to the City should said property be developed in the future. The property is located along the west Bexar County and east Medina County boundary and is situated in the western quadrant of the City of San Antonio's ETJ.

BACKGROUND INFORMATION:
On November 19, 2019, Red Bird Legacy Ranch LP., the landowner, filed a petition with the City of San Antonio's City Clerk requesting consideration of a petition for release of 1,019.6 acres of land from the City of

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San Antonio's ETJ. The petition was submitted following significant engagement with the City and Petitioner. The Petitioner's stated purpose of the requested release from the ETJ is due to the sparsely populated nature of the property and lack of contiguousness to the City of San Antonio.

As a part of the request for release from the ETJ, the Petitioner asked for the following additional considerations from the City:

1. Re-validation of the current Master Development Plan (MDP) should development be initiated and the City choose to expand its ETJ to include the subject property. Upon release from the ETJ, the current MDP would no longer be valid as the property would no longer be within the extraterritorial jurisdiction of the City of San Antonio.
2. Should a subdivision plat or development plat be submitted, the City would consider expanding the city's ETJ to include the subject property, but not before two years from the date of the property's release from the ETJ unless specifically requested by the property owner.
3. Continued validity of the current petition in order to efficiently execute future actions as established by the Petitioner and the City pursuant to the requested release.

In an effort to establish a public benefit to the City of San Antonio for the release of the ETJ, the Petitioner offers the City the following:

1. Petitioner would impose restrictive covenants on and throughout the subject property requiring any future development on the subject property to meet the City's current development standards as well as the City's current tree preservation requirements.
2. The property owner will enter into a Development Agreement to establish a contractual obligation to continue to meet the City's development and tree preservation standards should the subject property be brought back into the City of San Antonio's ETJ in the future.
3. The property owner will donate three (3) acres of land along the future State Highway 211 to the City of San Antonio for future development of a fire station.
4. The property owner will donate forty-seven acres of land to Bexar County to allow for the development and extension of the future State Highway 211, as delineated on the City's Major Thoroughfare Plan.
5. The property owner will cause the development of a portion of Galm Road to a standard beyond that which has been adopted in the City's Major Thoroughfare Plan.
6. The property owner will support efforts to adjoin adjacent properties necessary to facilitate the future strategic annexation of current special districts in the county, should it be deemed an appropriate action in the future.

ISSUE:

Chapter 42 of the Texas Local Government Code provides for the establishment of the extraterritorial jurisdiction of a municipality and the size thereof. The statute states as follows:

> Sec. 42.001. PURPOSE OF EXTRATERRITORIAL JURISDICTION. The legislature declares it the policy of the state to designate certain areas as the extraterritorial jurisdiction of municipalities to promote and protect the general health, safety, and welfare of persons residing in and adjacent to the municipalities.

Many of the offers listed above supporting the City's release of this portion of its ETJ were negotiated between the City and the Petitioner. However, it is the purview of the Planning Commission and the City Council to determine if a sufficient public purpose exists to support the release of extraterritorial jurisdiction of the City of San Antonio, for whom the legislature established the ETJ.

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ALTERNATIVES:
The Commission may Approve, Deny, or Continue any agenda item. As such, any of those options are available.

FISCAL IMPACT:
There is no fiscal impact associated with this item.

RECOMMENDATION:
Staff recommends that the Planning Commission forward this item to the City Council for consideration at their December 5, 2019 public hearing.