



City of San Antonio

Agenda Memorandum

File Number:16-5195

Agenda Item Number: 2.

Agenda Date: 10/19/2016

In Control: City Council B Session

DEPARTMENT: Planning and Community Development

DEPARTMENT HEAD: Bridgett White, AICP

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Second public hearing regarding the South San Antonio Voluntary Annexation Area consisting of twelve tracts of land and totaling approximately 421.6 acres (0.66 square miles), generally located north of Priest Road, south of Loop 410, east of I-35 South, and west of I-37 in the southern portion of San Antonio's Extraterritorial Jurisdiction.

SUMMARY:

This is the second public hearing regarding the South San Antonio Voluntary Annexation Area consisting of twelve tracts of land and totaling approximately 421.6 acres (0.66 square miles), generally located north of Priest Road, south of Loop 410, east of I-35 South, and west of I-37 in the southern portion of San Antonio's Extraterritorial Jurisdiction, as required under Chapter 43 of the Texas Local Government Code. The first public hearing was held on October 12, 2016.

BACKGROUND INFORMATION:

On January 9, 2014, the City of San Antonio (the City) approved numerous development agreements including for properties appraised for ad valorem tax purposes as agricultural, wildlife management, or timber management in accordance with Ordinance # 2014-01-09-0002. These development agreements are related to the Limited Purpose Annexation of South San Antonio Areas 1 through 4 (Ordinance #2014-01-09-0001) and comply with Section 43.035 of the Texas Local Government Code. The agricultural development agreements automatically terminate with the filing of a subdivision plat or related development document and/or no longer

appraised for agricultural valuation; and include the owner's agreement to consensual annexation.

In accordance with the terms of the development agreement, the City is initiating full purpose annexation of the twelve voluntary annexation properties, which total approximately 421.6 acres, generally located north of Priest Road, south of Loop 410, east of I-35, and west of I-37. Eleven of the properties totaling 219.42 acres currently have agricultural non-annexation agreements for a period of 10 years. (*A site location map is attached as Exhibit "A."*) An additional voluntary annexation tract is the Southwest Independent School District (SWISD) property. On January 9, 2014, the City approved a development agreement for services in lieu of annexation with SWISD with a termination date of November 30, 2016.

The proposed voluntary annexation area is contiguous to the City limits of San Antonio and within the City's Extraterritorial Jurisdiction (ETJ). After annexation, the property would be located in City Council Districts 3 and 4.

ISSUE:

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. Annexation of the voluntary annexation properties will provide a uniform level of City services to the area therefore, avoiding the difficulties associated with multi-jurisdictional public safety boundaries. Once the voluntary annexation properties are annexed into San Antonio, they 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 proposed annexation area will be served by the San Antonio Police Department South Patrol Substation located at 711 W. Mayfield Street. The San Antonio Fire Department will provide fire protection from two new stations, Fire Station No. 52 located at 10440 Quintana Road and Fire Station No. 53 located at 14102 Donop Road. Fire Station No. 53 is anticipated to open on December 31, 2016.

On September 8, 2016, via Resolution, the San Antonio City Council directed the Department of Planning and Community Development (DPCD) to prepare a service plan for this area prior to the publication of the notice 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 City is publishing the availability of the "Service Plan for the South San Antonio Areas," 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 South San Antonio Areas 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.

State law requires that the municipality follow certain provisions for annexation 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. Additionally, the City Charter requires consideration by the Planning Commission, and the publishing of the annexation ordinance 30 days prior to the final adoption. Below is the schedule for the South San Antonio Voluntary 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 29	Publish notice of both Public Hearings
October 3	Open House (<i>combined with South SA full purpose annexation</i>)
October 11	Publish the Ordinance
October 12	Planning Commission Hearing and Consideration
October 12 (6 PM)	First City Council Public Hearing
October 18	Zoning Commission Briefing and Consideration
October 19 (6 PM)	Second City Council Public Hearing
November 10	City Council's Consideration and Action on Annexation Ordinance
December 31	Date Annexation Ordinance is Effective (<i>The day the property is annexed into the City and services are provided.</i>)

ALTERNATIVES:

There is no alternative associated with this public hearing.

FISCAL IMPACT:

Funding has been included in the FY 2016 Adopted Budget and FY 2017 Proposed Budget to provide the appropriate level of City services to these areas within the South San Antonio Annexation Area.

RECOMMENDATION:

Action will be required at the consideration of the annexation ordinance.