



City of San Antonio

Agenda Memorandum

File Number:16-5326

Agenda Item Number: 2.

Agenda Date: 11/9/2016

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 U.S. 281 North Corridor Annexation Area consisting of approximately 1.9 square miles.

SUMMARY:

Second public hearing regarding the annexation of the U.S. 281 North Corridor which consists of approximately 1.9 square miles within San Antonio's extraterritorial jurisdiction (ETJ) in Bexar and Comal Counties and is of a variable width of up to 4,000 feet 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.*)

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.

The U.S. 281 North Corridor consists of approximately 1.9 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.

ISSUE:

The proposed annexation would protect the Edwards Aquifer Recharge Zone and the quality of development through the extension of zoning and city codes; include emerging residential developments and commercial centers; expand the city's economic vitality as a regional center by providing certainty and predictability; preserve the U.S. military missions through land use control; facilitate long range planning in environmentally sensitive areas and growth centers and enhance the City's overall regional economic position in bringing new jobs, population, and investment to the region. It is consistent with the recently adopted SA Tomorrow Comprehensive Plan goals:

- Growth and City Form (GCF) Goal 3: Strategic annexation benefits existing and future city residents and does not burden the City fiscally.
- Military (M) Goal 1: Incompatible land uses in the vicinity of Joint Base San Antonio (JBSA) locations are minimized in order to safeguard operational mission requirements.

Additionally, the annexation is consistent with the City's *Annexation Policy*:

- Protect the City's ability to expand city limits
- Extend regulations before development occurs
- Ensure areas benefitting from proximity to the city are contributing revenue
- Annex areas where unregulated development could have an adverse impact on military mission/operations or an adverse environmental impact.

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. The San Antonio Fire Department (SAFD) will provide fire and medical emergency services (EMS) to the Annexation Area consistent with the provision of services in like areas of San Antonio.

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. Additionally, the San Antonio City Charter requires consideration by the Planning Commission, and the publishing of the annexation ordinance 30 days prior to the final adoption by City Council.

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:

<u>2016 Dates</u>	<u>Annexation Procedures</u>
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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 (<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:

The fiscal impact analysis resulted in a 20 year net balance of \$4.45 million in projected future dollars and a discounted cash flow of \$3.05 million for the Annexation Area.

RECOMMENDATION:

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

