



City of San Antonio

Agenda Memorandum

File Number:16-5445

Agenda Item Number: 6.

Agenda Date: 10/26/2016

In Control: Planning Commission

DEPARTMENT: Planning and Community Development

DEPARTMENT HEAD: Bridgett White, Director

COUNCIL DISTRICTS IMPACTED: 3 and 4

SUBJECT:

Approval of a Voluntary Annexation of approximately 409.6 acres of land generally located north of Priest Road, south of Loop 410, east of I-35, and west of I-37 in the southern portion of San Antonio's Extraterritorial Jurisdiction.

SUMMARY:

This resolution recommends the approval of the voluntary annexation of 11 tracts of land consisting of approximately 409.6 acres located in the southern portion of San Antonio's extraterritorial jurisdiction into the City of San Antonio limits, and providing equivalent City services to the properties.

BACKGROUND INFORMATION:

On January 9, 2014, the City of San Antonio City Council approved Ordinance #2014-01-09-0001 which provides for the Limited Purpose Annexation of four areas known as the South San Antonio Limited Purpose Annexation Area. Pursuant to 43.035 of the Texas Local Government Code, the City of San Antonio offered Development Agreements to properties appraised for ad valorem tax purposes as agricultural, wildlife management, or timber management. Development Agreements were offered to 257 tracts of land of which 152 agreements were executed in accordance with Ordinance # 2014-01-09-0002.

In accordance with the terms set forth in the Development Agreement between the City of San Antonio, Texas, Southwest Independent School District and several property owners effective January 28, 2014, and recorded in the Bexar County Records, the City of San Antonio is initiating Full Purpose Annexation proceedings for the properties described below.

Owners of ten properties totaling 205.4 acres voluntarily consented to full purpose annexation due to one or more of the following reasons: the property is no longer appraised for agricultural valuation, the property was developed, and/or the property was subdivided.

Section 3 of the recorded Development Agreement states:

“This agreement is void if the Owner fails to continue to use the Property solely for agricultural, wildlife management or timber use and/or subdivides or develops the Property in any manner that would require a plat of the subdivision or a related development document to be filed with any government entity having jurisdiction over the Property.

Existing legal residential uses may continue. No new residential development shall be permitted, except for the addition of living space to an existing legal residence, the addition of accessory residential structures such as garages and carports where the total combined floor area of all accessory structures does not exceed 2,500 feet, and an accessory dwelling (either attached or detached) that does not exceed 1,200 square feet in living area.

If the Property ceases to be appraised for agricultural, wildlife management or timber use or if the Owner subdivides the Property as described in this section, then the City may annex the Property, either in whole or in part, and such annexation shall be deemed to be with the consent of the Owner.”

An additional tract for voluntary annexation is the Southwest Independent School District (SWISD) property. Ordinance number 2014-01-09-0004 approved an agreement for services in lieu of annexation between the City of San Antonio and the Southwest Independent School District located in the City’s Extraterritorial Jurisdiction. On November 6, 2012, the SWISD held a bond election wherein voters authorized the design and construction of new school facilities for an area approximately 204.203 acres located near Fischer Road and Somerset Road. A Development Agreement for Services in Lieu of Annexation sets out the applicability of the 2009 International Building, Mechanical, Electrical, and Plumbing Codes, City inspections of construction, permissible land use, funding by SWISD for traffic control devices and provided for consideration by the City Council the voluntary annexation of the area upon termination of the Agreement on or after November 30, 2016.

ISSUE:

Under Full Purpose Annexation the City of San Antonio will enforce all ordinances, provide services as required by law, and assesses property and sales tax. Annexation of the subject property will provide a uniform level of City services for the area therefore, avoiding the difficulties associated with multi-jurisdictional public safety boundaries. Once the subject properties are annexed into San Antonio, they would benefit from standardized full City services protecting health, safety and well-being as described in the Service Plan. The proposed annexation will expand San Antonio’s municipal boundaries, the public service area, and the Annexation Service Plan addresses the public services to be implemented.

State law requires that the municipality follow certain provisions for annexation, including the publication of the public hearing notification, two public hearings by the governing body and the adoption of the annexation ordinance and "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. The effective date of annexation will be December 31, 2016.

ALTERNATIVES:

If not annexed the subject properties will remain within San Antonio's Extraterritorial Jurisdiction.

FISCAL IMPACT:

There will be minimal fiscal impact to annex the 11 tracts. The 11 tracts would receive public safety services from the San Antonio Police Department South Patrol Station located at 711 Mayfield and from two new fire stations. Fire Station #52, located at 10440 Quintana Road and Fire Station #53, located at 14102 Donop Road will provide services upon the effective date of annexation. No additional capital improvements are required.

RECOMMENDATION:

Staff recommends approval of the resolution recommending voluntary annexation of 11 tracts of land consisting of approximately 409.6 acres located in the southern portion of San Antonio's extraterritorial jurisdiction into the City of San Antonio limits, and providing equivalent City services to the properties.