



City of San Antonio

Agenda Memorandum

File Number:17-1105

Agenda Item Number: 3.

Agenda Date: 2/1/2017

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 Residential Annexation Area consisting of approximately 11.02 square miles within San Antonio's extraterritorial jurisdiction (ETJ) in Bexar County to be considered for a non-annexation agreement, called a "Services in Lieu of Annexation" Agreement.

SUMMARY:

Second public hearing regarding the U.S. 281 North Residential Annexation Area which consists of 11.02 square miles within San Antonio's ETJ in Bexar County to be considered for a non-annexation agreement, called a "Services in Lieu of Annexation" Agreement.

BACKGROUND INFORMATION:

On December 4, 2014 the City of San Antonio ("City") approved a two-year plan to initiate limited purpose annexation of five priority areas, in Phase 1, Interstate Highway 10 West, U.S. Highway 281 North, Interstate Highway 10 East; and in Phase 2, the U.S. Highway 90/Loop 1604 and U.S. Highway 151. In October 2015, the proposed annexation was postponed to assess the annexation areas' financial and growth assumptions and conformance with the SA Tomorrow 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 by the end of 2016. The U.S. 281 North commercial corridor is exempted from a three-year municipal annexation plan requirement because it contains less than 100 separate residential tracts of land. On December 1, 2016, City Council approved annexation of the U.S. 281 North commercial corridor with the effective date of December 31, 2016.

On September 8, 2016, the US 281 North residential area (annexation area) was identified in the City three year municipal annexation plan. [*The map is attached as Exhibit A.*] The adoption of the municipal annexation plan will allow the City to develop a non-annexation agreement postponing annexation until 2034 to correspond with the expiration of the Lumbermen’s Investment Corporation and Timberwood Park non-annexation agreements.

The annexation area is adjacent to two existing long-term non-annexation agreements with both Timberwood Park and Lumbermen’s Investment Corporation. The Timberwood Park non-annexation agreement covers 4,345 acres around the annexation area, from Camp Bullis along Borgfeld Road to Bulverde Road. This non-annexation agreement expires in 2033. The Lumbermen’s non-annexation area wraps from Bulverde Road around Fossil Ridge MDP, around the TPC San Antonio golf course, and to the north of Indian Springs subdivisions. Lumbermen’s Investment Corporation consented to voluntary annexation upon the expiration of the non-annexation agreement in 2034.

The annexation area consists of approximately 11.02 square miles generally located to the east and west of the U.S. Highway 281 North. This area excludes the US 281 North Corridor which was annexed December 1, 2016 under Annexation Procedure for Areas Exempted from Municipal Annexation Plan (Chapter 43, Subchapter C-1). The area is contiguous to the City limits of San Antonio and within the City’s Extraterritorial Jurisdiction (ETJ). The Annexation Area contains primarily residential and vacant properties.

ISSUE:

A municipal action plan requires certain procedures the City to negotiate a non-annexation agreement, called a “Services in Lieu of Annexation” Agreement. Written notification was provided to the property owners and public entities on September 9, 2016. Current public services provided to the area have been inventoried. The City prepared the Service Plan for the U.S. 281 North Residential Area. [*The Service Plan is attached as Exhibit "B."*] The City is publishing the availability of the Service Plan 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 will be available for public viewing at the Department of Planning and Community Development Office, located at 1400 South Flores and at other locations, and will be posted on the Department’s webpage.

Two public hearings have been scheduled in 2017. The first public hearing notice was published on December 22, 2016. The Bexar County Commissioners Court will appoint five representatives to negotiate the terms of the non-annexation agreement. The agreement would be considered by the Planning Commission for recommendation and City Council for approval.

Should the City Council approve a non-annexation agreement, approval of this Service Plan will not be required at this time, since another plan will be developed in 2033 prior to annexation in 2034. State laws would require the publication of a service plan prior to the annexation public hearings. Below is the public hearing schedule for the Annexation Area:

<u>Dates</u>	<u>Annexation Procedures</u>
September 8, 2016	City Council Direction to Prepare Service Plan
September 9, 2016	Written notice provided to property owners and service providers
December 22, 2016	Publish notice of First Public Hearing
January 11, 2017	First City Council Public Hearing
January 13, 2017	Publish notice of Second Public Hearing
February 1, 2017	Second City Council Public Hearing
February 22, 2017	Planning Commission Hearing and Consideration
March 2, 2017	City Council’s Consideration and Action on Non-Annexation Agreement.

ALTERNATIVES:

There is no alternative associated with this public hearing.

FISCAL IMPACT:

Should a Services in Lieu of Annexation Agreement be approved by City Council, a fiscal impact analysis would be provided prior to annexation in 2034.

RECOMMENDATION:

No action is required with this public hearing. Action will be required at the consideration of the Services in Lieu of Annexation Agreement.