



# City of San Antonio

## Agenda Memorandum

**File Number:**17-3667

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**Agenda Item Number:** 28A.

**Agenda Date:** 6/22/2017

**In Control:** City Council A Session

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**DEPARTMENT:** Department of Planning & Community Development

**DEPARTMENT HEAD:** Bridgett White, AICP, Director

**COUNCIL DISTRICTS IMPACTED:** Council District 3

### **SUBJECT:**

An Ordinance providing for the extension of the City of San Antonio city limits by the annexation of approximately 5.9 square miles, within San Antonio's Extraterritorial Jurisdiction (ETJ) in south Bexar County, generally located south of the southern city limit boundary, west of Pleasanton Road, north of South Loop 1604 West and east of Applewhite Road, adopting a service plan for such area, establishing an effective date of June 22, 2017, and providing for Non-Annexation Development Agreements between the City of San Antonio and 35 property owners.

### **SUMMARY:**

This is an Ordinance providing for the extension of the City of San Antonio city limits by the annexation of approximately 5.9 square miles, within San Antonio's Extraterritorial Jurisdiction (ETJ) in south Bexar County, generally located south of the southern city limit boundary, west of Pleasanton Road, north of South Loop 1604 West and east of Applewhite Road, adopting a service plan for such area, establishing an effective date of June 22, 2017, and providing for Non-Annexation Development Agreements between the City of San Antonio and 35 property owners.

### **BACKGROUND INFORMATION:**

On December 31, 2016, the City of San Antonio extended its city limits by approving the full purpose annexation of approximately 19.62 square miles of land known as the South San Antonio Annexation Area. The Neal Road Annexation Area is located adjacent to one of the South San Antonio Annexation Areas within the City of San Antonio's southern extraterritorial jurisdiction and consists of approximately 5.9 square miles (A map of the Annexation Area is attached).

The Neal Road Annexation Area primarily consists of agricultural uses, vacant land, residential uses and a sparse number of commercial properties. It contains 163 parcels of land, of which 82 parcels contain residential uses. The area is within close proximity to the Medina River, the Texas A&M University-San Antonio campus, and the Toyota manufacturing plant. The proposed annexation area also contains portions of the Land Heritage Institute whose goal is to preserve natural, archeological and historical assets in the area.

According to Chapter 43 of the Texas Local Government Code, the proposed annexation is exempt from a three-year Municipal Annexation Plan because it contains less than 100 separate tracts of land where one or more residential dwellings are located. The proposed annexation also will expand San Antonio's municipal boundaries and public service area. The annexation will be part of City Council District 3.

State law requires that the municipality follow annexation procedures, which includes the publication of the public hearing notification, two public hearings by the governing body and the adoption of the annexation ordinance. On April 20, 2017, the Department of Planning & Community Development mailed all the property owners in the annexation area a letter notifying them that their property is an area being considered for annexation by the City of San Antonio and were provided the dates of public hearings for annexation. On April 26, 2017 the Planning Department offered via certified mail, development (non-annexation) agreements to property owners of land assessed as agriculture, wildlife management or timber uses for ad valorem purposes, thus guaranteeing continued extraterritorial status for a period of 10 years.

On May 11, 2017, through a Resolution, the San Antonio City Council directed the Department of Planning & Community Development to prepare a Service Plan for this area prior to the publication of the notice of the required public hearing, in accordance to Chapter 43 of the Texas Local Government Code. The intent of the Service Plan is to provide specifics on the services and capital improvements to be provided by the municipality after the area is annexed for full purposes. The Department of Planning & Community Development published the availability of the Service Plan, as a requirement of Section 43.056(j) of the Texas Local Government Code. The Service Plan is available for public viewing at the Department of Planning & Community Development, located at 1400 South Flores, and is posted on the Planning Department's internet web page. An interactive mapping system on the Department's webpage displays the annexation area, and can be searched by property address, the property owner name, or by parcel identification number.

## ISSUE:

An Ordinance providing for the extension of the City of San Antonio city limits by the annexation of approximately 5.9 square miles, within San Antonio's Extraterritorial Jurisdiction (ETJ) in south Bexar County, generally located south of the southern city limit boundary, west of Pleasanton Road, north of South Loop 1604 West and east of Applewhite Road, adopting a service plan for such area and establishing an effective date of June 22, 2017 and providing for Non-Annexation Development Agreements between the City of San Antonio and 35 property owners.

The proposed annexation would protect the quality of development through the extension of zoning and city codes, expand the city's economic vitality of surrounding regional centers by providing certainty and predictability and facilitate long range planning in environmentally sensitive areas and growth centers. The proposed annexation is consistent with the *SA Tomorrow Comprehensive Plan* goals and policies:

- *Growth and City Form Goal 3:* Strategic annexation benefits existing and future city residents and does not burden the City fiscally.
- *Natural Resources and Environmental Sustainability Policy 2:* Develop a growth and annexation plan

that reduces negative environmental impacts of new development.

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

- The city should consider annexing any areas that have the greatest potential for aiding the protection of natural, cultural, historic, military and economic assets.
- Protects the City's ability to expand city limits
- Extends regulations before development occurs
- Annex areas where unregulated development could have an adverse impact on military mission/operations or an adverse environmental impact.

In addition to State law, San Antonio is required to follow annexation procedures provided by its City Charter. The City of San Antonio Charter requires that proposed annexations are considered by the Planning Commission, and publication of the annexation ordinance 30 days prior to the final adoption. Below is the schedule of all required actions for the annexation area.

<b><u>2017 Dates</u></b>	<b><u>Required Actions</u></b>
<b>April 20</b>	– Written Notification to Property Owners
<b>May 11</b>	– City Council's Direction to Prepare Service Plan
<b>May 24</b>	– Planning Commission Hearing and Consideration
<b>May 31</b>	– First City Council Public Hearing
<b>June 1</b>	– Second City Council Public Hearing
<b>June 6</b>	– Zoning Commission Hearing and Consideration
<b>June 22</b>	– City Council Consideration and Action on the Annexation Ordinance, Adoption of the Service Plan, Development Agreements, and Zoning
<b>June 22</b>	– Effective Date of Annexation Ordinance

The annexation will extend full municipal services to the area and will be served by San Antonio Fire Station #50, located at 12703 Applewhite Road and San Antonio Police Department (SAPD) South Patrol Substation, located at 711 Mayfield Road.

#### **ALTERNATIVES:**

A denial of the ordinance would result in the annexation area remaining within the unincorporated area of Bexar County.

#### **FISCAL IMPACT:**

This Ordinance allows the extension of the City of San Antonio city limits by the annexation of approximately 5.9 square miles, within San Antonio's Extraterritorial Jurisdiction (ETJ) in south Bexar County. The net cost of providing services to the area is approximately \$1,249,321 over 20 years or an average cost of \$62,500 per year.

**RECOMMENDATION:**

Staff recommends approval of the Ordinance recommending full purpose annexation of the Neal Road Annexation Area consisting of approximately 5.9 square miles, the adoption of the Service Plan, and the approval of the Non-Annexation Development Agreements between the City of San Antonio and 35 owners of property appraised for ad valorem tax purposes as agricultural, wildlife management or timber use to guarantee continued extraterritorial status for a period of 10 years.