



City of San Antonio

Agenda Memorandum

File Number: 17-6379

Agenda Item Number: 37.

Agenda Date: 12/13/2017

In Control: Planning Commission

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Bridgett White, AICP

COUNCIL DISTRICTS IMPACTED: 6

SUBJECT:

A resolution granting the City of San Antonio's conditional consent to the Westpointe Public Improvement District (PID) by Bexar County.

SUMMARY:

A resolution granting the City of San Antonio's conditional consent to the Westpointe Public Improvement District (PID) by Bexar County. The property is located west of Loop 1604, and within the City of San Antonio Extraterritorial Jurisdiction (ETJ), in western Bexar County.

BACKGROUND INFORMATION:

Texas Local Government Code Chapter 372 allows for the creation of special purpose districts by a city or county. Public Improvement Districts (PIDs) are used as an economic development tool to fund public improvements and/or municipal services in a defined geographic area. PIDs are created only at the request of the land owners via petition of more than 50% of owners of taxable real property liable for assessment under proposed petition. PIDs use a special assessment as a source of funding and costs are apportioned and paid by land owners that benefit from public improvements and/or services.

In order to create a PID, the petitioner submits a request to the Bexar County Commissioners Court, if the proposed PID is located with the City's ETJ a petition must be submitted to the City Clerk's Office and signed by the owners of the taxable real property representing more than 50% of appraised property within the proposed PID. City staff reviews the petition to determine compliance with State statutes and prepares a feasibility report. Public notices are mailed, and then City Council holds a public hearing on the advisability of

public improvements by proposed PID. Within six months after the public hearing, City Council may authorize the PID creation by adopting a resolution consistent with its findings on advisability of public improvements by proposed PID. The City's consent should be conditioned upon the execution of an agreement for services in lieu of annexation with thirty (30) days of the PID creation by Bexar County. If City Council does not approve within thirty days following the creation of the PID, the City's consent is withdrawn and the City therefore objects to the creation of the PID.

The property owner (Hugo Gutierrez) of the Westlakes Properties which is to the west of the Lackland Annex has agreed to impose land use controls on his properties to increase its compatibility with the Lackland land use controls. The Lackland Joint Base San Antonio (JBSA) land use controls include restrictions on land uses, density, lighting, and sound attenuation. In consideration for such land use controls, the City of San Antonio would approve a non-annexation agreement and consent to the Bexar County creation of a PID on the Westpointe properties, which are outside the of the Lackland JBSA and Annex five-mile buffer (see Exhibit A).

The Westpointe PID properties consist of three tracts and right-of-way which total approximately 2,642.5 acres. The three tracts are referred to as Westpointe East (967 acres), Westpointe West (1,417 acres), and Westpointe North (246 acres). The Westpointe properties have Master Development Plans (MDPs), which were approved by the City of San Antonio and Bexar County between 2010 and 2011.

Westpointe East Tract calls for 967 acres of either commercial or multifamily land use and the property owner agrees to construct:

- Approximately \$11,000,000 of Alamo Ranch Parkway through the property
- An additional \$13,000,000 of collector and arterial roads as projected on the MDP

Westpointe West Tract calls for 1,417 acres of either commercial or multifamily land use and approximately 3,697 single family homes. The property owner agrees to construct:

- Approximately \$15,000,000 of Galm Road, a four-lane secondary arterial through the property
- Approximately \$17,000,000 of Alamo Parkway, a four-lane primary arterial through the property
- Approximately \$8,000,000 of Galm Road, a four-lane secondary arterial along the boundary of the property.
- An additional \$20,500,000 of collector and arterial roads as projected on the MDP.

Westpointe North Tract calls for 246 acres of 1,491 single family homes. The property owner agrees to construct:

- Approximately \$3,500,000 of Galm Road through property.
- Approximately \$800,000 of Grass Road drainage improvements.

The property owner will participate in the construction of off-site improvements to allow for the property owner to construct:

- Approximately \$1,000,000 of Alamo Parkway off-site from Alamo Ranch Parkway to Westpointe West.
- Approximately \$8,000,000 of Alamo Parkway off-site (and bridge crossing Medio Creek) from the Westpointe East southern boundary to Military Drive.
- Approximately \$3,000,000 of Galm Road north of Westpointe North, connecting to Culebra Road.
- Approximately \$2,000,000 of Galm Road, connecting Westpointe West and Westpointe North.
- Approximately \$12,000,000 of off-site sanitary sewer main, oversized per SAWS Capital Improvement Plan. This sewer main will ultimately serve portions of Bexar County and remove the need for multiple

lift-stations.

- If needed, construct approximately \$800,000 of parallel sanitary sewer main by the Remuda Ranch sewer outfall, which could be needed for Westpointe North depending on available capacity.

The property owner has negotiated a location for future Northside Independent School District school sites within the Westpointe West tract: a 35-acre middle school and an 18-acre elementary school. The property owner has also had multiple meetings with NISD regarding an 18-acre elementary school site within the limits of the Westpointe North tract. Cost estimates and exhibits showing required infrastructure/utility extensions to serve each school have been sent to NISD for both the future Westpointe West and Westpointe North school sites.

ISSUE:

The City of San Antonio grants conditional consent to the creation of the Westpointe PID by Bexar County upon the execution of a Development Agreement. At this time, City staff and the Owners are negotiating a Development Agreement in accordance with Section 212.172 of the Texas Local Government Code. For the PID properties the Agreement will contain the consent to annexation of the Property upon the termination of this Agreement. The Agreement will provide that the City will not annex the districts for thirty years after the anticipated activation date. Annexation could occur, if a termination event does not trigger early annexation. Upon the expiration or termination of the Development Agreement, the City would have the option of annexing the property and directly benefiting from the increased tax base on the subject property and the entire development.

The proposed Development Agreement will include the following terms and conditions on the Westpointe Properties:

- **Major Thoroughfares:** As per the Uniformed Development Code (UDC), the property owner agrees to design/construct Galm Road, Alamo Parkway, Talley Road and Alamo Ranch Parkway-Grosenbacher Road and other major thoroughfares, according to their designation on the current Major Thoroughfare Plan and that are within and outside the limits of the MDPs (but within the boundaries of the PID). Such major thoroughfares will be constructed in conjunction with the development of the adjacent property. The property owner also commits, subject to minor alignment changes, to construct the collector roadways in their general location and configuration as currently shown on the existing MDPs. The property owner reserves the right to re-configure the collector roadway alignments as required to develop the property, which would be administered through the standard MDP amendment process.
- **Pedestrian Facilities:** All collector streets and arterial streets will be designed/constructed with pedestrian facilities (e.g. bike lanes, multi-use paths, large-width sidewalks) in accordance with the current requirements of the UDC.
- **The Property owner will submit a plan showing the allocation of specific land uses, parks, natural areas and trails.**
- **Public Transportation (Bus) Lanes:** Both Alamo Parkway, Alamo Ranch Parkway Wiseman Boulevard, will be designed with sufficient right-of-way for future continuous and/or “slip” bus lanes (Alamo Parkway: 120 feet right-of-way; Alamo Ranch Parkway: 200 feet - 250 feet right-of-way). The property owner agrees to design Galm Road with an additional 15 feet of right-of-way (for a total of at least 101 feet of right-of-way) in order to provide sufficient right-of-way for future continuous and/or “slip” bus lanes.
- **Connectivity:** Single-family subdivisions, with more than 125 lots, will be developed with a

connectivity ratio greater than required in the UDC.

- Affordable Single-Family Housing Goal: The developer will strive to provide at least 10% of the total single-family homes constructed within the PID boundaries for sale at a price that is affordable for those whose income is below 80% of the Average Median Income (AMI) for a household size of 4. While this will be a stated goal, such goal will not constitute grounds for a default of the PID or associated agreements.
- Mandatory notification regarding the distance from a Military installation to all people purchasing property within the Westpointe PID and Westlakes Properties is required.

ALTERNATIVES:

A denial of the resolution would result in the PID not being created by Bexar County. This action would require the property owner to seek a different financing mechanism for the development of their property and would result in the development and construction of infrastructure occurring in a non-accelerated manner rather than the method as proposed by the developer.

City Council can require staff to renegotiate the terms of the agreement which would delay the activation of the PID development in the area.

FISCAL IMPACT:

There is no fiscal impact associated with the passage of this Resolution.

RECOMMENDATION:

Staff recommends approval of this Resolution providing the City's conditional consent to the creation of the Westpointe PID by Bexar County.