



City of San Antonio

Agenda Memorandum

File Number:19-4455

Agenda Item Number: 41.

Agenda Date: 6/20/2019

In Control: City Council A Session

DEPARTMENT: Planning

DEPARTMENT HEAD: Bridgett White, AICP

COUNCIL DISTRICTS IMPACTED: 4

SUBJECT:

Second public hearing and consideration of an Ordinance of a 124.405 acre property, generally located southwest of the intersection of Somerset Road and Fischer Road, as requested by Charles A. Timms, and approving the associated Service Agreement.

SUMMARY:

Second public hearing and consideration of an Ordinance extending the City limits by full purpose annexation of a 124.405 acre property generally located southwest of the intersection of Somerset Road and Fischer Road, which is contiguous to the city limits of San Antonio and located within the City of San Antonio's Extraterritorial Jurisdiction (ETJ) in southwest Bexar County, as requested by the property owner, Charles A. Timms, approving a Service Agreement, and establishing an effective date of July 1, 2019.

BACKGROUND INFORMATION:

On January 9, 2014, the San Antonio City Council approved Ordinance No. 2014-01-09-0002, which authorized development agreements between the City of San Antonio (COSA) and the owners of properties appraised for ad valorem tax purposes as land for agricultural, wildlife management, or timber use within the San Antonio South Annexation Areas 1 - 4. State law required a development agreement be offered in lieu of annexation to qualifying properties. The property owner, Charles A. Timms, signed a development agreement for a period of ten years which guaranteed continued extraterritorial status of the property.

On February 26, 2019, representatives for the Charles A. Timms properties submitted a request for the full purpose annexation of two properties, in accordance with Chapter 43, Subchapter C-3 of the Texas Local Government Code. The larger property consists of 95.240 acres, legally described as CB 4300 P-5 ABS 614,

and the smaller property consists of 29.165 acres, legally described as CB 4300 P-6 ABS 614, totaling 124.405 acres of land. The Annexation Area is generally located southwest of the intersection of Fischer Road and Somerset Road, which is contiguous to the City limits of San Antonio and located within the City of San Antonio’s Extraterritorial Jurisdiction (ETJ) in southwest Bexar County.

The Annexation Area is currently undeveloped. The property owner will be developing the Annexation Area as part of a larger residential development project, named the Timms Subdivision Master Development Plan (MDP). Construction is anticipated to begin in 2020. Upon full build out in 2030, the entire Timms Subdivision will have approximately 794 residential lots with 389 residential lots planned for the proposed Annexation Area. The current property owner is requesting annexation in order to ensure logical planning boundaries and a consistent level of services throughout the entire development.

The Annexation Area is subject to the Heritage South Sector Plan. The requested “R-5” single family residential zoning district is compatible with the adopted “Suburban Tier” future land use and the adjacent properties.

ISSUE:

This is the second public hearing and consideration of the proposed annexation of the Charles A. Timms properties, generally located southwest of the intersection of Fischer Road and Somerset Road, and the associated Service Agreement. The proposed Annexation Area will be located in City Council District 4.

The Service Agreement will address City services (including Police, Fire, Road Maintenance, Zoning, etc.) to be implemented and necessary capital improvements to be provided by the municipality after the area has been annexed. The Annexation Area will be served by the South Patrol Substation, located at 711 W. Mayfield Street, San Antonio, TX 78211 and the San Antonio Fire Department will provide fire protection services and emergency medical services. In addition, the map of the Annexation Area and public hearing dates are available on the Planning Department’s webpage.

State law requires that a municipality follow other annexation procedures, which includes the publication of public hearing notices, two public hearings by the governing body and the adoption of the annexation ordinance, and Service Agreement. The notice for the first public hearing was published on May 17, 2019 (revised and re-published on May 25) and the second public hearing notification was on May 31, 2019. The first City Council public hearing was held on June 5, 2019. The effective date will be July 1, 2019.

Additionally, the City Charter of San Antonio requires consideration by the Planning Commission, and the publishing of the annexation ordinance 30 days prior to the final adoption. Planning Commission recommended approval on May 8, 2019 and Zoning Commission recommended approval on May 21, 2019. The draft ordinance was published on May 17, 2019. The associated zoning case will be considered by City Council on June 20, 2019 after action on the annexation. Below is the schedule for the Annexation Area.

<u>Dates</u>	<u>Required Actions</u>
May 8, 2019	Planning Commission
May 21, 2019	Zoning Commission
June 5, 2019	First City Council Public Hearing
June 20, 2019	Second City Council Public Hearing and Consideration
July 1, 2019	Effective Date of Annexation

ALTERNATIVES:

The denial of the ordinance would result in the Annexation Area portion of the Timms Subdivision remaining in the ETJ. Hence, there may be jurisdictional and regulatory conflicts during the development of the property and confusion with service delivery after the property is already developed.

FISCAL IMPACT:

At this time, no additional operating or capital budget resources are needed to be added to support this voluntary annexation.

RECOMMENDATION:

Staff recommends approval of the Ordinance regarding the annexation of a 124.405 acre property generally located southwest of the intersection of Somerset Road and Fischer Road, as requested by the property owner, Charles A. Timms and approval to execute the Service Agreement.

On May 8, 2019, Planning Commission held a public hearing regarding the annexation and recommended approval.