



City of San Antonio

Agenda Memorandum

File Number:15-4431

Agenda Item Number: 30.

Agenda Date: 8/12/2015

In Control: Planning Commission

DEPARTMENT: Department of Planning and Community Development

DEPARTMENT HEAD: John M. Dugan, AICP

COUNCIL DISTRICTS IMPACTED: 10

SUBJECT:

Public Hearing and consideration of a resolution for the voluntary annexation of approximately 36.123 acres on County Block 4915 located at 5710 E. Evans Road, adjacent to the City of San Antonio City limits, in north-central Bexar County. Staff recommends approval. [Sofia Lopez, Senior Planner, Department of Planning and Community Development, sofia.lopez@sanantonio.gov, (210) 207-0268]

SUMMARY:

The Planning and Community Development Department is recommending full purpose annexation of 36.123 acres, as requested by Fair Oaks Mosaic TBY, LLC, in order to provide uniform city-level services to the subject property to protect the health, safety and well-being of the community.

BACKGROUND INFORMATION:

On May 1, 2015, Fair Oaks Mosaic TBY, LLC requested annexation by the City of San Antonio of approximately 36.123 acres located at 5710 E. Evans Road (Attachment A). The purpose of Fair Oaks Mosaic TBY, LLC's petition is to ensure a uniform level of public safety services across the planned residential development, a portion of which currently lies within the City Limits. The subject property is adjacent to the City limits and within the City of San Antonio's Extraterritorial Jurisdiction (ETJ). The subject property consists of 36.123 acres, described in the metes and bounds included in the Voluntary Annexation Petition (Attachment A), and depicted in the attached map (Attachment B).

All 36.123 acres of the subject property are overlying the Edwards Aquifer Recharge Zones. The 36.123 acres are located outside of the flood plain and are considered suitable for residential development. Fair Oaks Mosaic TBY, LLC intends to develop a 185 unit single-family gated community. The approximate value of each

developed unit (land and improvement) is anticipated to be \$350,000.00. The streets and drainage system will be maintained by the Homeowner's Association.

ISSUE:

Annexation of the subject property will provide a uniform level of City services across the development, avoiding the difficulties associated with multi-jurisdictional public safety boundaries. Once the subject property is annexed into San Antonio, it would benefit from standardized full City services protecting health, safety and well-being.

The proposed annexation will increase the City's public safety service area but also will expand the City's corporate area and tax base. Staff proposes that the City annex and zone the subject property, "R-6 PUD AHOD ERZD" zoning district which is proposed to be effective upon the date of annexation. The developer will still need approval of a PUD site plan from the Planning Commission.

On June 18, 2015, through Ordinance *2015-06-18-0041R*, the San Antonio City Council directed the Department of Planning and Community Development (DPCD) to prepare a service plan for this property 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 Municipal Service Plan is to provide specifics about the implementation of municipal services provided by the municipality after annexation for full purposes, and their associated costs.

The City is publishing the availability of the "Municipal Service Plan for 5710 E. Evans Road," herein attached as Attachment C, 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 for 5710 E. Evans Road" will be available for public viewing at the DPCD Office, located at 1400 South Flores, and will be posted on the City's DPCD internet web page.

State law requires that the municipality follow certain provisions for annexation which includes 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 publishing of the annexation ordinance 30 days prior to the final adoption. Below is the schedule for the annexation:

<u>Date</u>	<u>Annexation Procedures</u>
Aug. 12	Brief Planning Commission
Aug. 12	Planning Commission consideration
Aug. 17	Written notice provided to property owners, public and private entities
TBD	Brief Council Committee
Aug. 27	Publish notice of both public hearings in the newspaper and on City's web site.
Sept. 1	Brief Zoning Commission (<i>Optional</i>)
Sept. 1	Zoning Commission consideration
Sept. 8	Publish annexation ordinance in the newspaper
Sept. 16	First City Council Public Hearing
Sept. 17	Second City Council Public Hearing
Oct. 8	City Council's consideration of annexation, Municipal Service Plan and zoning change
Oct. 31	Effective Date of Full Purpose Annexation

ALTERNATIVES:

Recommend denial of the proposed annexation.

FISCAL IMPACT:

Fiscal impact will be provided at time of City Council consideration.

RECOMMENDATION:

Approval. The Planning and Community Development Department is recommending voluntary annexation of approximately 36.123 acres of land located at 5710 E. Evans Road adjacent to the City's limits and located within San Antonio's ETJ as requested by the Fair Oaks Mosaic TBY, LLC.