



City of San Antonio

Agenda Memorandum

File Number:15-4629

Agenda Item Number: 3.

Agenda Date: 9/16/2015

In Control: City Council B Session

DEPARTMENT: Department of Planning and Community Development

DEPARTMENT HEAD: John Dugan, AICP

COUNCIL DISTRICTS IMPACTED: 10

SUBJECT:

First public hearing regarding the voluntarily requested full propose annexation of approximately 36.123 acres o located at 5710 East Evans Road adjacent to City Council District 10 as requested by Fair Oaks Mosaic TBY, LLC.

SUMMARY:

This is the first public hearing regarding the full purpose annexation of 36.123 acres on County Block 2915, located at 5710 East Evans Road, as requested by Fair Oaks Mosaic TBY, LLC, as required under Chapter 43 of the Texas Local Government Code. A second public hearing is scheduled for September 17, 2015.

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:

The petitioner plans to develop approximately 185 single-family dwelling units with an anticipated value of \$350,000 per housing unit (both the land and improvement). If the area is annexed for full purposes, the development would receive full City services; however, the development will be a gated community. The subdivision has a forecasted eighteen month build-out. In FY 2016 no city services would be required and are not projected to be needed until mid FY 2017. The Homeowner's Association will be responsible for the newly constructed streets and lighting maintenance and may opt out of San Antonio solid waste services. (Texas Local Government Code allows any area newly annexed for full purposes to have two years from the date of annexation to opt out of a City's solid waste services.) San Antonio Fire Department and San Antonio Police Department would be responsible for serving the development. As part of the voluntary annexation process, the Department of Planning and Community Development prepared a Service Plan. The Service Plan indicates there are no capital improvements anticipated for this annexation area.

Though a full fiscal analysis has not yet been completed by the City's Office of Management and Budget, the fiscal impact of service provision is expected to be marginal, given that no capital improvements are required and the annexation of this development will expand the City tax base. This area would receive police services out of the City's Jones Maltsberger Police Substation. Fire services will be provided by Fire Station #48 on Bulverde Road and would provide the same response time as what is provided to the adjacent areas.

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 not only 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.

On June 18, 2015, through Ordinance *2015-06-18-0041R*, the San Antonio City Council requested 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>
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Aug. 12	Planning Commission Hearing and Consideration (Recommended Approval of Annexation)
Aug. 17	Written notice provided to property owners and service providers
Aug. 28	Publish notice of both public hearings in the newspaper and on City's web site
Sept. 1	Zoning Commission and Consideration (Recommended Approval of Zoning)
Sept. 8	Publish the Annexation Ordinance in San Antonio Express News
Sept. 16 (6:00 PM)	First City Council Public Hearing
Sept. 17 (2:00 PM)	Second City Council Public Hearing
Oct. 15 (9:00 AM)	City Council's consideration of annexation, Municipal Service Plan
Oct. 15 (2:00 PM)	City Council consideration of zoning and plan amendment changes
Oct. 31	Effective Date of Full Purpose Annexation

ALTERNATIVES:

There is no alternative associated with this public hearing.

FISCAL IMPACT:

Though a full fiscal analysis has not yet been completed by the City's Office of Management and Budget, the fiscal impact of service provision is expected to be marginal, given that no capital improvements are required and the annexation of this development will expand the City tax base. This area would receive police services out of the City's Jones Maltsberger Police Substation. Fire services will be provided by Fire Station #48 on Bulverde Road and would provide the same response time as what is provided to the adjacent areas.

RECOMMENDATION:

There is no action required of Council at public hearings. Action will be required at the consideration of the annexation ordinances.