



# City of San Antonio

## Agenda Memorandum

**File Number:**15-5130

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**Agenda Item Number:** 3.

**Agenda Date:** 10/14/2015

**In Control:** City Council B Session

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**DEPARTMENT:** Planning and Community Development

**DEPARTMENT HEAD:** John M. Dugan, AICP

**COUNCIL DISTRICTS IMPACTED:** 2

**SUBJECT:**

First Public Hearing for the Proposed Limited Purpose Annexation of the IH-10 East Area

**SUMMARY:**

This is the first public hearing regarding the proposed limited purpose annexation of the IH-10 East Area, consisting of approximately 12.67 square miles of San Antonio's Extraterritorial Jurisdiction (ETJ) generally located within IH 35-North, Loop 1604-East and IH-10 East. No action is required of the Council at this public hearing.

**BACKGROUND INFORMATION:**

On December 4, 2014, the City of San Antonio directed the Department of Planning and Community Development (DPCD) to initiate limited purpose annexation and prepare a regulatory plan for five annexation priority areas in 2015 and 2016, which are contiguous to the city limits and within the San Antonio Extraterritorial Jurisdiction and Bexar County. Five priority areas were identified based on the evaluation criteria established by the City's annexation policy adopted in 2013. The five priority areas encompass 66.47 square miles and have a population of approximately 117,517.

The I-10 East Area consists of approximately 12.67 square miles of San Antonio's Extraterritorial Jurisdiction (ETJ) generally within IH 35-North, Loop 1604 East and IH 10 East. The area is located within and bounded as follows: on the north by the east city limit line of Windcrest, Crestway Road (west of Kitty Hawk), and Kitty Hawk Road; on the east by the west city limit line of Converse, and Loop 1604 East, on the south by IH-10 East; and on the west by Ackerman Road, Gibbs Sprawl Road (to Woodlake Parkway), Woodlake Parkway, Walzem Road (north of Woodlake Parkway) and the east city limit line of Windcrest.

The Annexation Area abuts the municipal boundaries of neighboring cities. In addition, Randolph Joint Base San Antonio, which is located to the east to Loop 1604, is situated in close proximity to the Annexation Area.

The IH-10 East Annexation Area primarily consists of highly dense neighborhoods and undeveloped parcels. Emerging commercial corridors are located along Sequin Road-FM 78 and Foster Road. A large amount of commercial and light industrial uses associated with the freight trucking industry are located along IH-10 East corridor and FM 1516. The proposed annexation would protect the quality of development through the extension of zoning and city codes, include emerging residential developments and commercial centers, expand the city's economic vitality as a regional center by providing certainty and predictability, preserve the U.S. military missions through land use controls, and facilitate long range planning in this area.

The City of San Antonio Department of Planning and Community Development (DPCD) held three public limited purpose annexation meetings in March, April, and May 2015. An open house meeting was held in the IH-10 East area on August 4, 2015. City departments and agencies representing the San Antonio Fire Department, Code Enforcement, Building Permits, Platting, and Zoning along with San Antonio Water System were present to answer questions from the public. At the IH-10 East Open House, exhibits and brochures included Frequently Asked Questions (FAQs), the proposed zoning, land use plans, examples of uses permitted in zoning districts, and the limited purpose annexation timeline. City staff provided the materials in both English and Spanish.

DPCD coordinated with the Information Technology Services Department to create an interactive mapping system which displays information at the parcel level. The interactive mapping system displays the limited purpose annexation area, proposed zoning, proposed future land use, and proposed overlay districts. Individuals can search by property address or property owner name. The website has been available to the public since August 1, 2015 and is located on the DPCD webpage. The DPCD Annexation webpage also provides the public access to the IH-10 East Planning Study and Regulatory Plan, an expanded Frequently Asked Questions section, static maps, public hearing dates, and contact information.

The proposed limited purpose annexation has received coverage from local and national media outlets, such as the Wall Street Journal, the Economist, the San Antonio Express News, KWEX Univision 41, KSAT 12, KENS 5, FOX 29, WOAI 4, Texas Public Radio, Time Warner News, and community newspapers.

## ISSUE:

***Limited purpose annexation*** allows the City to extend regulatory authority for the limited purposes of applying its planning, zoning, health, and safety ordinances without the provisions of full services. The City may not assess property taxes in the area until the property is annexed for full purposes, usually within three years. Limited purpose annexation will help ensure quality development in the area and will protect property values by ensuring that all development meets consistently high standards. The three-year limited purpose annexation period will give the City additional time to plan for the orderly extension of full municipal services to the area. It will provide a framework for capital improvements project planning for the area. By the end of the third year of limited purpose annexation, the City Council may annex the area for full purposes.

***The IH-10 East Planning Study and Regulatory Plan for Limited Purpose Annexation*** -As a requirement of Texas Local Government Code Sec. 43-123, the City published the availability of a planning study and regulatory plan regarding the proposed annexation areas. The planning study contains projected levels of development in the next ten (10) years with and without annexation, issues and the public benefits of annexation, economic and environmental impact of annexation and proposed zoning for the area. The

regulatory plan outlines development regulations and states that the areas will be fully annexed within three years as required by the limited purpose state statutes.

Beginning October 3, 2015, the IH-10 East Planning Study and Regulatory Plan were made available for public viewing at several locations and posted on the Department of Planning and Community Development web page.

State law requires that a municipality follow certain provisions, which includes public hearings notification in the newspaper; two public hearings held by the governing body; and adoption of the annexation ordinance and regulatory plan. Below is the schedule for the proposed annexation of the IH-10 East Area for limited purposes:

**Oct. 2015:** 1<sup>st</sup> - Publish first mandated notice for Limited Purpose Annexation and the Planning Study and Regulatory Plan

2<sup>nd</sup> - Publish second mandated notice for the Planning Study and Regulatory Plan

3<sup>rd</sup> - Release Planning Study and Regulatory Plan to the public

8<sup>th</sup> - Publish second mandated notice for Limited Purpose Annexation

14<sup>th</sup> - First City Council Public Hearing (citizens to be heard)

16<sup>th</sup> - Zoning Commission hearing and consideration

23<sup>rd</sup> - Planning Commission hearing and consideration

28<sup>th</sup> - Second City Council Public Hearing (citizens to be heard)

**Nov. 2015:** 19<sup>th</sup> - City Council Consideration of:

- Planning Studies and Regulatory Plan
- Limited Purpose Annexation
- Land Use Plan amendments
- Zoning Changes

**Dec. 2015:** 19<sup>th</sup> - Effective date of the IH-10 East Limited Purpose Annexation

#### **ALTERNATIVES:**

There is no alternative associated with this public hearing.

#### **FISCAL IMPACT:**

Upon full purpose annexation, the projected twenty year net negative operating impact for the IH-10 East Annexation Area is \$118 million. The City Council approval of the FY 2015 annexation program also considers two other areas to be annexed along with IH-10 East, those being IH-10 West and 281 North. All three areas result in a net positive operating impact of \$172 million.

#### **RECOMMENDATION:**

This is a public hearing and no action is required at this time.