

RESOLUTION NO.

23 03 12

RECOMMENDING THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE OWNERS, MEDINA DEL REY QOZB, LLC, AND SS 1604 RANCH, LLC, OF PROPERTY CONSISTING OF APPROXIMATELY 814.039 ACRES, GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF NEAL ROAD AND LOOP 1604 SOUTH LOCATED IN THE EXTRATERRITORIAL JURISDICTION (ETJ) OF THE CITY OF SAN ANTONIO IN BEXAR COUNTY.

WHEREAS, Chapter 212 of the Texas Local Government Code provides that a city may enter into a written contract with an owner of land, which is located in the city's ETJ to provide the terms and conditions for annexation of the land as a whole or in parts, if annexation is agreed to by the parties; and

WHEREAS, in previous annexations, the City of San Antonio (City) offered and entered into Agricultural Development Agreements ("Agreements") with the owners of properties appraised for ad valorem tax purposes as land for agricultural or wildlife management use under Subchapter C or D, Chapter 23, Texas Tax Code, or as timber land under Subchapter E of that chapter; and

WHEREAS, the provisions of the Agreements guaranteed the continued extraterritorial status of those properties which continue with the agricultural tax appraisal by Bexar County Appraisal District (BCAD) and established consent annexation terms upon the termination or violation of the Agreements; and

WHEREAS, nine properties consisting of approximately 814.039 acres generally located northeast of the intersection of Neal Road and Loop 1604 South, in the ETJ subject to those Agreements are now under different ownership for various reasons; and

WHEREAS, the intended developer of the 814.039 acres would like to develop the Subject Property for a 145 MW utility scale solar project, after responding to a CPS Energy FlexPower Request for Proposals (RFP); and

WHEREAS, the current owners Medina Del Rey QOZB, LLC and SS 1604 Ranch, LLC, ("Owners") have requested to enter into an Agreement under new terms and conditions for the solar utility project; and

WHEREAS, the City Council finds that the best interest of the City of San Antonio would be served by approving the Development Agreements with the Owners.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

SECTION 1. The San Antonio Planning Commission recommends the **approval** of the Development Agreement ("Agreement") between the City of San Antonio and the property owners, Medina Del Rey QOZB, LLC and SS 1604 Ranch, LLC, (Owners), for approximately 814.039 acres of land generally located northeast of the intersection of Neal Road and Loop 1604 South in the extraterritorial jurisdiction (ETJ) of the City of San Antonio in Bexar County, depicted in "**Attachment A**" and described in "**Attachment B**".

PASSED AND APPROVED on this 22nd day of March 2023.

Attest:



Executive Secretary
San Antonio Planning Commission

Approved:



Matthew Proffitt, Chair
San Antonio Planning Commission