

24<sup>th</sup> 10 10

RESOLUTION NO. \_\_\_\_\_

**RECOMMENDING THE APPROVAL OF THE FIRST AMENDMENT TO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD. THIS AMENDMENT REVISES THE BOUNDARIES OF THE SAPPHIRE GROVE PUBLIC IMPROVEMENT DISTRICT PROPERTY BY INCLUDING APPROXIMATELY 38.56 ACRES, GENERALLY LOCATED AT THE NORTHWEST INTERSECTION OF GARDNER ROAD AND NEW SULPHUR SPRINGS ROAD, IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS; AND APPLIES THE TERMS AND CONDITIONS OF THE AMENDED AGREEMENT TO THE ENTIRE 211.83 ACRE DISTRICT EXTENSION PROPERTY.**

**WHEREAS**, on April 14, 2022, the City of San Antonio (City) entered into a development agreement ("original agreement"), which is filed in the real property records of Bexar County under document number 20220129516 and attached hereto in **Exhibit "I"** to **Attachment "A"**, establishing terms and conditions to the City's consent to the Bexar County's creation of the Sapphire Grove Special Improvement District (District), originally consisting of 173.27 acres of land, as more particularly identified and described attached hereto in **Exhibits "A"** and **"B"** to **Attachment "A"** attached hereto, with Lennar Homes of Texas Land and Construction, LTD, the Owner of the taxable real property contained within the original 173.27 acre parcel (the "original District Property"); and

**WHEREAS**, thereafter, the Owner acquired 38.56 acres of land which are more particularly described and depicted in **Exhibit "A"** in the District's petition attached as **Attachment "B"** located outside of the original District Property and petitioned the District's Board of Directors (Board) to amend its boundaries by annexing the 38.56 acres of land; and

**WHEREAS**, on September 14, 2023, the Board authorized the amendment to the District's boundaries which will add the 38.56 acres to the existing 173.27 acres, and establishing a new boundary of approximately 211.83 acres, subject to the consent from both, the County and the City; and

**WHEREAS**, on March 7, 2024, the Board formally requested the City to consent to the District boundary amendment described and depicted in the field notes and survey attached as **Exhibit "A"** in the Petition which is attached hereto as **Attachment "B"**; and

**WHEREAS**, it is the Parties intent that the only amendments to be made to the original agreement are those contained herein and that all provisions of the original agreement shall now apply to the entire 211.83 acres of land to be included in the District Property; and

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

**SECTION 1.** The San Antonio Planning Commission recommends to City Council the approval of the first amendment to the Development Agreement, attached as **Attachment "A"** between the City and Lennar Homes of Texas Land and Construction, LTD, the Owners of the PID Property. The agreement

includes provisions for the addition of the PID expansion and voluntary annexation of the PID property upon expiration of the term of the Agreement and that establishes services and terms for future annexation of the PID property and that is in substantial conformance with the above recitals and is attached hereto and incorporated herein for all purposes, as **Attachment "A"**. This First Amendment revises the boundaries of 173.27 acre District property, as described and depicted in **Exhibit "A"** to **Exhibit "I"** by including an approximately 38.56 acres, and applies all of the conditions of the City's consent and the provisions and terms of the Amended Agreement to the entire 38.56 acre District expansion property as depicted in **Exhibit "A" to Attachment "B"**.

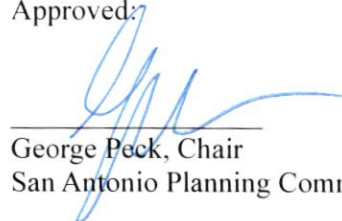
**PASSED AND APPROVED ON THIS 23<sup>rd</sup> DAY OF OCTOBER 2024.**

Attest:

A handwritten signature in blue ink, consisting of a large, stylized 'S' followed by a horizontal line.

Executive Secretary  
San Antonio Planning Commission

Approved:

A handwritten signature in blue ink, appearing to be 'George Peck', written over a horizontal line.

George Peck, Chair  
San Antonio Planning Commission