



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: {{item.number}}

Agenda Date: November 30, 2023

In Control: City Council A Session

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Rudy Nino

COUNCIL DISTRICTS IMPACTED: District 3, District 4, ETJ

SUBJECT:

Proposed annexation of approximately 4,205.72 acres (equivalent to 6.571 square miles), generally located south of Loop 410 between Pearsall Road and U.S. Highway 181 South, subject to expiring Development Agreements, and the associated Plan for Municipal Services.

SUMMARY:

Public hearing and consideration of an Ordinance authorizing the extension of the City limits by full purpose annexation of approximately 4,205.72 acres in CB 4002-1, CB 4007, CB 4007-5, CB 4007-6, CB 4007-9, CB 4010, CB 4014, CB 4069, CB 4069B, CB 4069-B, CB 4136, CB 4167, CB 4167-1, CB 4167-2, CB 4167-3, CB 4167A, CB 4187, CB 4188, CB 4204, CB 4283, CB 4283B, CB 4295, CB 4296, CB 4297, CB 4298, CB 4298D, CB 4300, CB 4301, CB 4310A, CB 5722, NCB 14493, NCB 14568, NCB 14569, NCB 16622, NCB 16627, and ANCEL 69, subject to expiring Development Agreements between the property owners and the City of San Antonio, generally located south of Loop 410 between Pearsall Road and U.S. Highway 181 South, contiguous to the City of San Antonio municipal boundary and located within the San Antonio Extraterritorial Jurisdiction (ETJ) in south Bexar County, and a Plan for Municipal Services for the annexation area.

BACKGROUND INFORMATION:

The City of San Antonio (City) completed limited purpose annexation of the south side area with the dissolution of the City South Management Authority in 2014, and then completed Full Purpose Annexation of the area in 2016. As part of both annexation processes, the Texas Local Government Code (LGC) required cities to offer Development Agreements to owners of properties which were appraised for ad valorem tax purposes as land for agricultural or wildlife management use or as timber land (“agricultural”) as designated by the Bexar Appraisal District (BCAD). Prior to the annexations, the owners of agricultural properties entered into Development Agreements with the City. These Agreements allowed their continued agricultural use, or other use as specified by the LGC, and guaranteed the extraterritorial status for the property if the property owner continued the use as described in the terms of the agreement.

These agricultural Agreements expire on January 19, 2024. Currently, there are 135 properties, totaling approximately 4,205.72 acres or 6.571 square miles, have these Agreements. Approximately 36 parcels of land have a dwelling unit. The estimated population for the annexation area is about 97 people.

After annexation is completed, the landowners will gain the advantages of being within the City, such as, police and fire services, and other City services which already benefit surrounding properties. The Annexation Area meets the statutory requirements for full purpose annexation, by the City since it (1) is within the City's ETJ; and (2) is adjacent and contiguous to the City's corporate limits. The Annexation Area will be located in City Council Districts 3 and 4.

ISSUE:

This is the City Council public hearing and consideration of an Ordinance authorizing the proposed full purpose annexation of approximately 4,205.72 acres in CB 4002-1, CB 4007, CB 4007-5, CB 4007-6, CB 4007-9, CB 4010, CB 4014, CB 4069, CB 4069B, CB 4069-B, CB 4136, CB 4167, CB 4167-1, CB 4167-2, CB 4167-3, CB 4167A, CB 4187, CB 4188, CB 4204, CB 4283, CB 4283B, CB 4295, CB 4296, CB 4297, CB 4298, CB 4298D, CB 4300, CB 4301, CB 4310A, CB 5722, NCB 14493, NCB 14568, NCB 14569, NCB 16622, NCB 16627, and ANCEL 69, subject to expiring Development Agreements between the property owners and the City of San Antonio, generally located south of Loop 410 between Pearsall Road and U.S. Highway 181 South. This annexation will bring 135 parcels of land into the City's Limits, which is consistent with the City's Annexation Policy by which San Antonio considers annexation necessary to ensure logical planning and service delivery boundaries. The proposed annexation will expand San Antonio's municipal boundaries and the City's service areas to include the Annexation Area. It will be part of City Council Districts 3 and 4.

This proposed annexation includes the adoption of a Plan for Municipal Services, which addresses City services to be implemented and necessary capital improvements to be provided by the municipality after the area has been annexed. The Annexation Area will be served by the San Antonio Police Department (SAPD) South Substation, located at 711 West Mayfield Road, San Antonio, TX, 78211 and by the East Substation, located at 3635 East Houston Street, San Antonio, TX 78219. The San Antonio Fire Department (SAFD) will provide fire protection services and emergency medical services. In addition, the map of the Annexation Area and public hearing dates are available on the Planning Department's webpage.

State law requires that a municipality follow other annexation procedures, which includes the publication of a public hearing notice, one public hearing by the governing body and the adoption of the annexation ordinance and the Plan for Municipal Services. The notice for the annexation public hearing was published on November 10, 2023. The City Council public hearing and consideration is scheduled for November 30, 2023. The effective date for the purpose of service delivery will be January 19, 2024.

Additionally, the City Charter of San Antonio requires a recommendation on the annexation by the Planning Commission, and the publication of the annexation ordinance 30 days prior to the final adoption. The Planning Commission considered the annexation on October 11, 2023, along with associated Plan Amendments (PA-2023-11600067). The Zoning Commission considered the proposed zoning for the annexation area on November 7, 2023. The draft ordinance was published on October 31, 2023. The associated zoning case (Z-2023-10700263) will also be heard and considered with action on the annexation by City Council on November 30, 2023. Below is a proposed schedule for the Annexation Area.

Dates	Required Actions
October 11, 2023	Planning Commission
November 7, 2023	Zoning Commission
November 30, 2023	City Council Public Hearing and Consideration
January 19, 2024	Effective Date of Annexation

ALTERNATIVES:

The denial of this Ordinance would result in the properties remaining in unincorporated Bexar County. Hence, they would not be covered by SAFD, SAPD or have any City related services, and instead be served by the county service providers, including the Emergency Services District (ESD) and subject to the ESD's taxing jurisdiction.

FISCAL IMPACT:

This ordinance does not have a fiscal impact. City staff performed and completed fiscal analysis in 2014 and in 2016 and resources were added to fire and police to cover additional services to this area.

RECOMMENDATION:

Staff recommends approval of the Ordinance regarding full purpose annexation of numerous properties totaling of approximately 4,205.72 acres of land, subject to expiring Development Agreements between the property owners and the City of San Antonio, generally located south of Loop 410 between Pearsall Road and U.S. Highway 181 South, contiguous to the City of San Antonio municipal boundary and located within the San Antonio Extraterritorial Jurisdiction (ETJ)

in south Bexar County, a Plan for Municipal Services for the annexation area, and establishing an effective date of annexation.

On October 11, 2023, Planning Commission held a public hearing regarding the annexation and Plan Amendments and recommended approval. On November 7, 2023, Zoning Commission held a public hearing regarding the zoning and recommended approval.