



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 32

**Agenda Date:** August 3, 2023

**In Control:** City Council A Session

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**DEPARTMENT:** Planning Department

**DEPARTMENT HEAD:** Bridgett White

**COUNCIL DISTRICTS IMPACTED:** District 4, ETJ

**SUBJECT:**

Proposed annexation of approximately 81.583 acres, generally located southeast of the intersection of Somerset Road and Watson Road, as requested by the landowner, and the associated Service Agreement.

**SUMMARY:**

Public hearing and consideration of a Resolution recommending the extension of the City limits by full purpose annexation of 81.583 acres of CB 4298, generally located southeast of the intersection of Somerset Road and Watson Road, which is contiguous to the City limits of San Antonio, in the City of San Antonio's Extraterritorial Jurisdiction (ETJ) and southwest Bexar County, as requested by the landowner, Mark R. Verstuyft, and the associated Service Agreement.

**BACKGROUND INFORMATION:**

The City of San Antonio (City) initiated limited purpose annexation of the south side area in 2014, and then completed Full Purpose Annexation of the area in 2016. As part of both annexation processes, Texas Local Government Code (LGC) required cities to offer Development Agreements to properties which had the applicable appraisal 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 full purpose annexation, the landowners 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.

Mark R. Verstuyft, (the Owner) owns a property, consisting of approximately 81.583 acres, requested annexation by the City. Currently, the property is vacant. The proposed development is a manufactured housing, single-family, residential subdivision. The Owner is seeking this annexation to develop the property within the City and 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 in City Council District 4.

#### **ISSUE:**

This is the City Council public hearing and consideration of an Ordinance approving the proposed full purpose annexation of 81.583 acres of CB 4298, as requested by the Owner. This annexation will bring the parcel 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 District 4.

This proposed annexation includes the adoption of a Service Agreement between the City and Owner, which will address 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 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 Service Agreement. The notice for the annexation public hearing was published on May 26, 2023. The City Council public hearing and consideration was scheduled for June 15, 2023 and continued to August 3, 2023. The new effective date will be September 4, 2023.

Additionally, the City Charter of San Antonio requires consideration 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 May 24, 2023. The Zoning Commission considered the proposed zoning for the annexation area on June 6, 2023. The draft ordinance was published on May 16, 2023. The associated zoning case (Z-2023-10700089) will also be heard and considered with action on the annexation by City Council on June 15, 2023 (Both continued to

August 3, 2023). Below is an updated, proposed schedule for the Annexation Area.

<b>Dates</b>	<b>Required Actions</b>
May 24, 2023	Planning Commission
June 6, 2023	Zoning Commission
August 3, 2023	City Council Public Hearing and Consideration
September 4, 2023	Effective Date of Annexation

**ALTERNATIVES:**

The denial of this Ordinance would result in the property 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:**

A \$3,000 processing fee for the voluntary annexation, set by Ordinance 101399, will be collected and deposited in the General Fund. This ordinance requires no operating or capital budget resources to support this voluntary annexation.

**RECOMMENDATION:**

Staff recommends approval of the Ordinance regarding full purpose annexation of a property totaling 81.583 acres out of CB 4298, generally located southeast of the intersection of Somerset Road and Watson Road, which is contiguous to the City limits of San Antonio, in the City of San Antonio’s Extraterritorial Jurisdiction (ETJ) and southwest Bexar County, as requested by the landowner, Mark R. Verstuyft, the approval to execute the associated Service Agreement, and establish an effective date of annexation.

On May 24, 2023, Planning Commission held a public hearing regarding the annexation and recommended approval. On June 6, 2023, Zoning Commission held a public hearing regarding the zoning and recommended approval.