



City of San Antonio

Agenda Memorandum

File Number:
{{item.tracking_number}}

Agenda Item Number: {{item.number}}

Agenda Date: August 10, 2022

In Control: Planning Commission Meeting

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Bridgett White

COUNCIL DISTRICTS IMPACTED: District 8

SUBJECT:

Proposed annexation of approximately 5.3 acres of a tract of land, located at 7251 Heuermann Road, as requested by the property owner.

SUMMARY:

Public hearing and consideration of a Resolution recommending the extension of the City limits by full purpose annexation of 5.3 acres of a tract of land, located at 7251 Heuermann Road, Bexar County Appraisal District (BCAD) Property ID 698153, which is contiguous to the City limits of San Antonio and located within the City of San Antonio's Extraterritorial Jurisdiction (ETJ) in northwest Bexar County, as requested by the property owner, Cathy Sue Hosek.

BACKGROUND INFORMATION:

The City of San Antonio (City) initiated Full Purpose Annexation of 550 acres, known as the IH-10 North Property, along IH-10 West in 1986. As a result of this annexation, a tract of land consisting of approximately 10.58 acres was split in half, with 5.28 acres being annexed into the

City of San Antonio and the remaining 5.30 acres continuing to be located outside City limits, in the ETJ.

In 2017, the City of San Antonio annexed numerous corridors and enclaves in the ETJ, which would have included the remainder of the subject property. As part of this annexation process, Texas Local Government Code (LGC) required the City 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 County Appraisal District (BCAD). These Agreements allowed their continued agricultural use, or other use as specified by the LGC, and guaranteed the extraterritorial status for the property as long as the property owner continued the use as described in the terms of the Agreement. The entire subject property had the agricultural designation from BCAD, so the remaining 5.30 acres continued its ETJ status through the execution of a Development Agreement between the City and property owner, Cathy Sue Hosek.

The Owner now has petitioned the City for annexation in anticipation of future development, pursuant to Section 43.016 of the Texas Local Government Code. Additionally, the proposed annexation area meets the statutory requirements for full purpose annexation by the City, as it: (1) is within the City's ETJ; and (2) is adjacent and contiguous to the City's corporate limits.

The original tract of land currently consists of a single-family homestead and is generally located east of Friedrich Park and west of Heuermann Road, in the ETJ, adjacent to City Council District No. 8. The intended developer ("Developer") would like to develop the Subject Property for a single-family residential project (6.6 units/acre). The Property Owner and Developer are seeking this annexation to gain the advantages of being within the City, such as trash, police and fire services, and other City services that already benefit the portion of the property located inside the City limits. The annexed property will be in City Council District 8.

ISSUE:

This is the Planning Commission public hearing and consideration of a Resolution recommending the approval of the proposed annexation of approximately 5.3 acres, located at 7251 Heuermann Road (Annexation Area). As requested by the property owner, the proposed annexation will expand San Antonio's municipal boundaries and the City service areas to include the property. It will be part of City Council District 8.

This proposed annexation includes the adoption of a Service Agreement, 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) Prue/NW Substation, located at 5020 Prue Road, San Antonio, TX 78240, 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 date is 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 public hearing will be published on September 9, 2022. The City Council public hearing and consideration is scheduled for September 29, 2022. The effective date will also be September 29, 2022.

Additionally, the City Charter of San Antonio requires consideration by the Planning Commission, and the publishing of the annexation ordinance 30 days prior to the final adoption. The draft ordinance will be published on August 29, 2022. The Planning Commission will consider the annexation on August 10, 2022 and the plan amendment request on August 24, 2022. The Zoning Commission will consider the proposed zoning for the annexation area on August 16, 2022. The associated zoning case (2022-10700206) and plan amendment (PA-2022-11600077) will be considered by City Council along with action on the annexation, on September 29, 2022. Below is a proposed schedule for the Annexation Area.

<u>Dates</u>	<u>Required Actions</u>
August 10, 2022	Planning Commission (Annexation)
August 16, 2022	Zoning Commission
August 24, 2022	Planning Commission (Plan Amendment)
September 29, 2022	City Council Public Hearing and Consideration
September 29, 2022	Effective Date of Annexation

ALTERNATIVES:

The denial of this Resolution would result in a portion of the property remaining in unincorporated Bexar County, while the other portion is inside the City limits. Hence, the property would be severed by both City and county service providers, which may lead to confusion among local service providers, taxing authorities and regulatory jurisdictions.

RECOMMENDATION:

Staff recommends approval of the Resolution recommending the proposed Annexation and related Service Agreement for City Council to consider at their September 29, 2022 meeting.