



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 45

Agenda Date: October 20, 2022

In Control: City Council A Session

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Bridgett White

COUNCIL DISTRICTS IMPACTED: District 8

SUBJECT:

Proposed annexation of approximately 5.3 acres of a property, located at 7251 Heuermann Road, as requested by the property owners, and associated Service Agreement.

SUMMARY:

Public hearing and consideration of an Ordinance extending the City limits by full purpose annexation of 5.30 acres of a property, 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, the subject parcel consisting of approximately 10.58 acres was split in half, with approximately 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 the property owner, Cathy Sue Hosek.

The Owner has now petitioned the City for annexation in anticipation of future development, pursuant to Section 43.016 of the Texas Local Government Code. Additionally, the Subject Property 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 Subject Property currently consists of a single-family homestead and is generally located at the 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 City Council public hearing and consideration of an Ordinance approving the proposed annexation of approximately 5.30 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 was published on September 29, 2022. The City Council public hearing and consideration is scheduled for October 20, 2022. The effective date will be October 30, 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 was published on September 20, 2022. The Planning Commission considered the annexation on August 10, 2022 and the plan amendment request on September 14, 2022. The Zoning Commission considered the proposed zoning for the annexation area on September 20, 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 October 20, 2022. Below is a proposed schedule for the Annexation Area.

Dates and Required Actions

August 10, 2022 – Planning Commission (Annexation)

September 14, 2022 – Planning Commission (Plan Amendment)

September 20, 2022 – Zoning Commission

October 20, 2022 – City Council Public Hearing and Consideration

October 30, 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. 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.

FISCAL IMPACT:

A \$3,000 processing fee for the voluntary annexation, set by Ordinance 101399, will be collected. 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 one property totaling 5.30 acres, located at 7251 Heuermann Road, as requested by the property owner, Cathy Sue Hosek, the approval to execute the associated Service Agreement and establish an effective date of annexation.

On August 10, 2022, Planning Commission held a public hearing regarding the annexation and recommended approval. On September 14, 2022, Planning Commission held a public hearing regarding the Plan Amendment and recommended approval. On September 20, 2022, Zoning Commission held a public hearing regarding the zoning and recommended approval.