



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 21

Agenda Date: November 10, 2022

In Control: City Council A Session

DEPARTMENT: Planning Department

DEPARTMENT HEAD: Bridgett White

COUNCIL DISTRICTS IMPACTED: District 6

SUBJECT:

Proposed annexation of approximately 3.795 acres of land, generally located northwest of the intersection of Culebra Road and Old Stillwater Road, as requested by the landowners, and the associated Service Agreement.

SUMMARY:

Ordinance extending the City limits by full purpose annexation of 3.795 acres out of CB 4450, generally located northwest of the intersection of Culebra Road and Old Stillwater Road, which is contiguous to the City limits of San Antonio, in the City of San Antonio's Extraterritorial Jurisdiction (ETJ) and west Bexar County, as requested by the landowners, and the associated Service Agreement.

BACKGROUND INFORMATION:

Elephant Heart Development Corp. owns approximately 4.808 acres of land (Tract 1) and Adrian Collins owns approximately 1.5 acre of land (Tract 2), which are located along Culebra Road. In 1986, the City of San Antonio (City) annexed territory located along Culebra Road into the City limits by Ordinance Number 64026. This annexation split tracts of land by bringing in portions of the tracts located within the 1000 feet of Culebra Road right-of-way into the City's Limits. The

remaining areas of the two tracts totaling 3.795 acres (3.417 acres of Tract 1, and 0.378 acres of Tract 2), were left outside of the City's Limits, in the ETJ. Currently the two tracts of land are undeveloped.

Elephant Heart Development Corp. and Adrian Collins (the Owners) desire to assemble and develop their two tracts of land together for a multi-family residential project. The Owners have petitioned the City for annexation and zoning of approximately 3.795 acres (Annexation Area) to bring the entire tracts of land into the City's limits. The Owners are seeking this annexation to develop the entire tracts of land under City regulations and uniformly zone the land. The proposed Annexation Area will gain the advantages of being within the City, which includes a consistent level of services, including police and fire services, which already benefit the portions of the tracts of land located inside City limits.

The proposed Annexation Area is generally located northwest of the intersection of Culebra Road and Old Stillwater Road in the City's ETJ, in west Bexar County. 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 6.

ISSUE:

This is the City Council public hearing and consideration of an Ordinance approving the full purpose annexation of 3.795 acres of CB 4450, as requested by the Property Owners. This annexation will bring the entire tracts 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 boundaries and service delivery areas. 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 6.

This proposed annexation includes the adoption of a Service Agreement between the City and Owners, 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) West Substation, located at 7000 Culebra Road, San Antonio, TX, 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 will be published on October 21, 2022. The City Council public hearing and consideration is scheduled for November 10, 2022. The effective date will be November 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 Planning Commission considered the annexation on September 28, 2022. The Zoning Commission

considered the proposed zoning for the annexation area on October 4, 2022. No plan amendment is required since the proposed zoning is consistent with the adopted future land use. The draft ordinance was published on October 9, 2022. The associated zoning case (2022-10700250) along with action on the annexation will be considered by City Council, on November 10, 2022. Below is a proposed schedule for the Annexation Area.

Dates	Required Action
September 28, 2022	Planning Commission
October 4, 2022	Zoning Commission
November 10, 2022	City Council Public Hearing and Consideration
November 30, 2022	Effective Date of Annexation

ALTERNATIVES:

The denial of this Ordinance would result in portions of the tracts of land remaining in unincorporated Bexar County, while the other portions are inside the City’s limits. The tracts of land would be severed by both City and county service providers, which may also lead to confusion regarding multiple regulatory jurisdictions and taxing authorities.

FISCAL IMPACT:

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

RECOMMENDATION:

Staff recommends approval of the Ordinance providing for the extension of the City limits of San Antonio by the full purpose annexation of 3.795 acres of land, generally located northwest of the intersection of Culebra Road and Old Stillwater Road, as requested by the landowners, approving the execution of the associated Service Agreement, and establishing an effective date of annexation.

On September 28, 2022, Planning Commission held a public hearing regarding the annexation and recommended approval. On October 4, 2022, Zoning Commission held a public hearing regarding the zoning and recommended approval.