

AN ORDINANCE

96559

**PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE LIMITED PURPOSE ANNEXATION OF APPROXIMATELY 9,796 ACRES OF LAND KNOWN AS THE SOUTHSIDE STUDY AREA 3 PROPERTY; ESTABLISHING AN EFFECTIVE DATE AND ADOPTING A REGULATORY PLAN FOR SUCH AREA.**

\* \* \* \* \*

**WHEREAS**, on the 5th day of September, 2002, and the 12th day of September, 2002, the City Council of the City of San Antonio held public hearings on the proposed annexation for limited purposes of approximately 9,796 acres of land known as the Southside Study Area 3 Property situated outside of, but immediately adjacent to the current corporate limits, and such public hearings gave all interested persons the right to appear and be heard on the proposed annexation of such land; and

**WHEREAS**, notice of the above mentioned public hearings was published in the San Antonio Commercial Recorder on August 23, 2002, a newspaper having general circulation in the City of San Antonio, Texas, and within the territory to be annexed, in accordance with law; and

**WHEREAS**, notice of the above mentioned public hearings was published on August 23, 2002, on the internet web site maintained by the City of San Antonio in accordance with state statutes; and

**WHEREAS**, the aforementioned public hearings were conducted not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings; and

**WHEREAS**, the population of the City of San Antonio, Texas is in excess of 1,144,000 inhabitants, and the areas to be annexed lie within the extraterritorial jurisdiction of the City of San Antonio, Texas, and lie adjacent to and adjoins the City of San Antonio, Texas; and

**WHEREAS**, after considering public comment and further study of the effect of the proposals on the area involved, the City Council hereby finds that the additions to the previously published regulatory plan are necessary to clarify the application of the regulatory plan to the land and territory which is annexed for limited purposes; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The land and territory lying outside of, but adjacent to and adjoining the City of San Antonio, known as Southside Study Area 3 Property, more particularly described as that portion of the described tract of land in **Exhibit "A"**, attached hereto and incorporated herein as if set out verbatim for all purposes, is hereby added and annexed to the City of San Antonio, Texas, for limited purposes of extending certain planning, zoning, and health and safety ordinances. Said territory as described shall hereafter be included within the boundary limits of said city, and the present boundary limits of said city, at the various points contiguous to the area described in **Exhibit "A"**, are altered and amended so as to include said area within the corporate limits of the City of San Antonio, Texas.

**SECTION 2.** The land and territory known as the Southside Study Area 3 Property which is annexed hereby for limited purposes shall be a part of the City of San Antonio, Texas and the property, the residents and landowners thereof shall be subject to and enjoy the rights conferred by Chapter 43, Subchapter F, Limited Purpose Annexations of the Texas Local Government Code and the provisions of this ordinance.

**SECTION 3.** A regulatory plan applicable to the property described in **Exhibit "A"**, is hereby adopted and the implementation of said plan is hereby authorized. Such plan is attached hereto and incorporated herein as if set out verbatim for all purposes as **Exhibit "B"**.

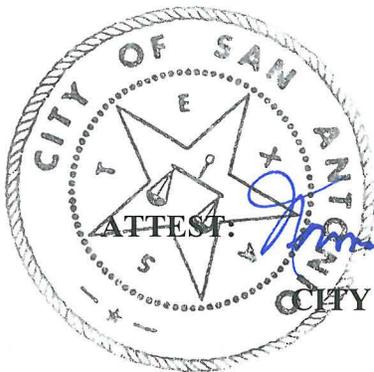
**SECTION 4.** In accordance with Section 35-307(a) of the City of San Antonio Unified Development Code, this property shall be zoned as "DR"-Development Reserve, for land use purposes.

**SECTION 5.** A subsequent ordinance shall designate and assign the land and territory to City Council district or districts as provided by the Charter of the City of San Antonio which designation shall be effective upon the effective date of the annexations.

**SECTION 6.** The land and territory shall be annexed for full purposes within three years from the effective date hereof.

**SECTION 7.** This ordinance shall be effective from and after **January 5, 2003**.

**PASSED AND APPROVED** this 10th day of October, 2002.  
(First Reading)

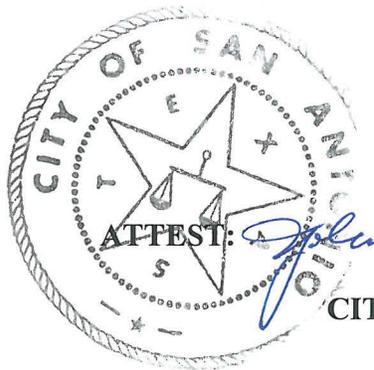


ATTEST: *[Signature]*  
CITY CLERK

*[Signature]*

M A Y O R  
EDWARD D. GARZA

**PASSED AND APPROVED** this 21st day of November, 2002.  
(Second Reading)



ATTEST: *[Signature]*  
CITY CLERK

*[Signature]*

M A Y O R  
EDWARD D. GARZA

APPROVED AS TO FORM:

*[Signature]*  
City Attorney

02-43

MEETING OF THE CITY COUNCIL

*2nd & Final Reading*

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - PUBLIC UTILITIES SUPERVISOR
FINANCE- TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT -NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION
DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER: 44 M

DATE: NOV 21 2002

MOTION: *Perf*

ORDINANCE NUMBER: 96559

RESOLUTION NUMBER: \_\_\_\_\_

ZONING CASE NUMBER: \_\_\_\_\_

TRAVEL AUTHORIZATION: \_\_\_\_\_

NAME	ROLL	AYE	NAY
BOBBY PEREZ District 1		<input checked="" type="checkbox"/>	
JOHN H. SANDERS District 2			<input checked="" type="checkbox"/>
ANTONIETTE "TONI" MOORHOUSE District 3		<input checked="" type="checkbox"/>	
ENRIQUE "KIKE" MARTIN District 4		<input checked="" type="checkbox"/>	
DAVID A. GARCIA District 5		<input checked="" type="checkbox"/>	
ENRIQUE M. BARRERA District 6		<input checked="" type="checkbox"/>	
JULIAN CASTRO District 7		<input checked="" type="checkbox"/>	
BONNIE CONNER District 8		<input checked="" type="checkbox"/>	
CARROLL W. SCHUBERT District 9		<input checked="" type="checkbox"/>	
DAVID CARPENTER District 10		<input checked="" type="checkbox"/>	
EDWARD D. GARZA Mayor		<input checked="" type="checkbox"/>	

*Annexation file -*

*Limited Purpose - 9,796 Acres*

*Southside Study Area 3*

*Property*

02-43

MEETING OF THE CITY COUNCIL

*Terri Reading*

AGENDA ITEM NUMBER: 26M  
 DATE: OCT 10 2002  
 MOTION: Prey Monhouse  
 ORDINANCE NUMBER: 96559  
 RESOLUTION NUMBER: \_\_\_\_\_  
 ZONING CASE NUMBER: \_\_\_\_\_  
 TRAVEL AUTHORIZATION: \_\_\_\_\_

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
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CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
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MAYOR'S OFFICE
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CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

*Limited  
Mayor*

NAME	ROLL	AYE	NAY
BOBBY PEREZ District 1		✓	
JOHN H. SANDERS District 2		<i>absent</i>	
ANTONETTE "TONI" MOORHOUSE District 3		✓	
ENRIQUE "KIKE" MARTIN District 4		<i>absent</i>	
DAVID A. GARCIA District 5		✓	
ENRIQUE M. BARRERA District 6		✓	
JULIAN CASTRO District 7		✓	
BONNIE CONNER District 8		ABSENT	
CARROLL W. SCHUBERT District 9		✓	
DAVID CARPENTER District 10		- ✓	
EDWARD D. GARZA Mayor		✓	

*9, 796 acres of land /  
Southside Study Area 3  
Property*

**BOUNDARY DESCRIPTION FOR A 9,796 ACRE TRACT KNOWN AS  
THE SOUTHSIDE STUDY AREA 3 PROPERTY**

A boundary description for an annexation area containing 9,796 Acres, more or less, and being adjacent to the city limits of the City of San Antonio, Bexar County, Texas to the south and being more particularly described as follows:

**BEGINNING:** at the point of intersection of the south right-of-way line of Mauermann Road with the west right-of-way line of Pleasanton Road also being along the current city limits line of the City of San Antonio;

**THENCE:** in a northerly direction crossing Mauermann Road and continuing with the west right-of-way line of Pleasanton Road and with the current city limits line of the City of San Antonio a distance of approximately 2,053 feet to the point of intersection a projection of the northeast boundary line of Parcel P-31, C.B. 4005;

**THENCE:** in a southeasterly direction crossing Pleasanton Road with the northeast boundary line of Parcel P-31, C.B. 4005 and with the southwest then southeast boundary line of Mitchell Lake and also with the current city limits line of the City of San Antonio a distance of approximately 22,628 feet to a northwest corner of Parcel P-7, C.B. 4006;

**THENCE:** in a northeasterly direction with a northwest boundary line of Parcel P-7, C.B. 4006 and with the current city limits line of the City of San Antonio a distance of approximately 2,879 feet to the point of intersection with the west right-of-way line of U.S. Highway 281 South;

**THENCE:** in a southerly direction with the west right-of-way line of U.S. Highway 281 South and with the current city limits line of the City of San Antonio a distance of approximately 12,306 feet to a point along the west right-of-way line of U.S. Highway 281 South being 1,350 feet beyond the centerline of the Medina River;

**THENCE:** in a generally westerly direction with a line being approximately 1,350 feet south of and parallel to the centerline of the Medina River a distance of approximately 44,443 feet to the point of intersection with the east right-of-way line of State Highway 16 South (Palo Alto Road);

**THENCE:** in a generally northerly direction with the east right-of-way line of State Highway 16 South (Palo Alto Road) crossing the Medina River, Watson Road and South Zarzamora Street an overall distance of approximately 20,916 feet to the northwest corner of Parcel P-10A, C.B. 4005 also being the southwest corner of Parcel P-9, C.B. 4005 and also being a corner of the current city limits line of the City of San Antonio;

THENCE: in an easterly direction with the north boundary line of Parcels P-10A, P-5, C.B. 4005, Lot 1, C.B. 4005D, C.G. Estate Subdivision and the south boundary line of Parcel P-9, C.B. 4005B, Lot 1, C.B. 4005C Applewhite Mobile Home Subdivision a distance of approximately 2,356 feet to the point of intersection with the west right-of-way line of Applewhite Road;

THENCE: in a southeasterly then southerly direction with the west right-of-way line of Applewhite Road and crossing South Zarzamora Street an overall distance of approximately 3,351 feet to the point of intersection with a projection of the southwest right-of-way line of Mauermann Road;

THENCE: in a southeasterly then easterly direction with the southwest right-of-way line of Mauermann Road a distance of approximately 9,290 feet to the northeast corner of Parcel P-22, C.B. 4005H also being a point along the current city limits line of the City of San Antonio;

THENCE: in a generally southerly direction with the southeast boundary line of Parcel P-22, C.B. 4005H and with the current city limits line of the City of San Antonio a distance of approximately 3,657 to the centerline of Leon Creek;

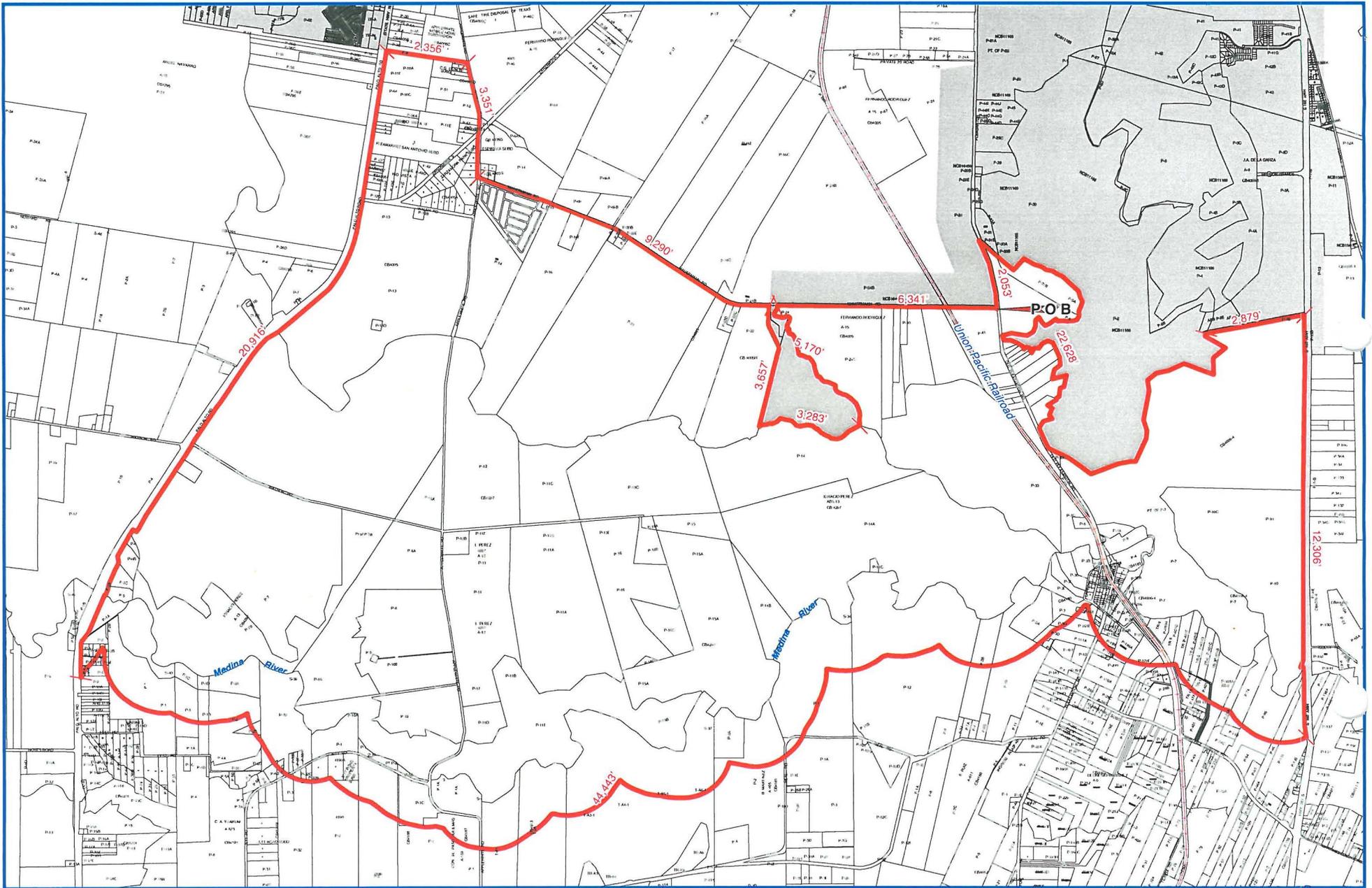
THENCE: in an easterly direction with the centerline of Leon Creek and with the current city limits line of the City of San Antonio a distance of approximately 3,283 feet to the point of intersection with the southwest boundary line of Parcel P-24C, C.B. 4005;

THENCE: in a generally northwesterly direction with the southwest boundary line of Parcels P-24C, P-24, C.B. 4005 and with the current city limits line of the City of San Antonio a distance of approximately 5,170 feet to the point of intersection with the south right-of-way line of Mauermann Road;

THENCE: in an easterly direction with the south right-of-way line of Mauermann Road and with the current city limits line of the City of San Antonio a distance of approximately 6,341 feet to the POINT OF BEGINNING for this annexation area containing 9,796 Acres, more or less.

NOTE:

This boundary description has not been verified on the ground and is not intended to be used as a metes and bounds description of the land described herein.



Ordinance No: \_\_\_\_\_  
 Date Passed: \_\_\_\_\_  
 Effective Date: \_\_\_\_\_

## Southside Study Area 3 Property

9,796 Acres

**Legend**

- Annexation Area
- Current San Antonio City Limits
- P.O.B. Point of Beginning

**Notes:**

Plat showing annexation area containing approximately 9,796 acres of land and being adjacent to the city limits of the City of San Antonio, Bexar County, Texas.

Area is entirely inside the Edwards Aquifer Recharge Zone.

This is not an actual survey prepared by a Licensed Surveyor on the ground.

Prepared by City of San Antonio, Dept. of Public Works



Scale: 1" = 1,725'

**SOUTHSIDE INITIATIVE  
REGULATORY PLAN  
FOR  
SOUTHSIDE STUDY AREA "3"**

**EXHIBIT "B"  
Southside Study Area 3  
Regulatory Plan**

### Area Description

The area proposed to be annexed for limited purposes covers approximately 9,796 acres generally extending from the south side of Mauermann Road between State Highway 16 and US Highway 281 to about 1,350 feet south of the Medina River centerline as defined by the Texas Department of Transportation and generally including the land found within the Land Heritage Institute of the Americas.

Comprising the predominant use, approximately 69 percent of the study area is agricultural land. The remainder of the study area includes a range of land uses. Approximately 24 percent of the study area is composed of public or institutional uses. Undeveloped or underdeveloped lands comprise about 3 percent of the study area. Approximately 2 percent of the area currently is in residential use. Commercial uses comprise about 2 percent of the area. Industrial uses comprise the remaining area.

The area's population is estimated at approximately 156 residents and contains about 53 dwelling units.

### Regulatory Plan for Southside Limited Purpose Annexation Area #3

#### Development Regulations

The following planning, zoning, health and safety ordinances will be enforced in the area if annexed for limited purposes:

- Building Code (Chapter 6 of the Municipal Code)
- Electricity Code (Chapter 10 of the Municipal Code)
- Fire Prevention Code (Articles III and IV of Chapter 11 of the Municipal Code)
- Solid Waste Code specifically pertaining to Lot Clearance (Article V of Chapter 14 of the Municipal Code)
- Licenses and Business Regulations specifically pertaining to Salvage Yards and Auto Dismantlers (Article VII of Chapter 16 of the Municipal Code)
- Plumbing Code (Chapter 24 of the Municipal Code)
- Signs and Billboards (Chapter 28 of the Municipal Code)
- Water and Sewers (Chapter 34 of the Municipal Code)
- Unified Development Code (Chapter 35 of the Municipal Code) including, but not limited to, all zoning regulations

and all subsequent amendments, replacement ordinances, and related technical and illustrative manuals to these ordinances. The City has used its best efforts to provide accurate references to the Municipal Code sections in which the ordinances described above are codified. In the event that a portion of the Municipal Code listed above contains a reference to a portion of the Municipal Code or another City Ordinance that

is not listed above then, to the extent necessary to either provide meaning to or to carry out the meaning of the listed portions, the referenced portions of the Municipal Code or other City Ordinances shall also apply. Any failure to list all relevant Municipal Code references is inadvertent and will not affect enforcement of the ordinances by the City.

The adopted regulatory plan must be the same as the proposed regulatory plan unless the San Antonio City Council finds and states in the ordinance the reasons for adoption of a different regulatory plan. The San Antonio City Council by ordinance may change an adopted regulatory plan if, in the ordinance making the change, the City Council finds and states the reasons for the adoption of the change.

### **Changes:**

The following changes to the regulatory plan for limited purpose annexation are recommended as a result of the public hearings and public meetings with property owners of the affected area:

- Fences:

Property owners will be allowed to erect, maintain and repair traditional barbed wire or electric fences used in conjunction with agricultural, farming or ranching operations. (The following sections of the City Code shall not apply: Sec. 6-2b, Barbed wire fences and Sec. 10-93 d, electrified fences)

- Non-Conforming Rights:

To establish nonconforming rights for zoning, property owners with existing land uses are encouraged to register within one year of the annexation date with the Development Services Department. A Certificate of Occupancy will be issued certifying only those uses required by applicable City and State Codes. Unless exempted by Chapter 43 of the Texas Local Government Code, nonconforming rights to allow future construction or the development of a master plan must be filed within 60 days of annexation, with the Department of Planning in accordance with the Unified Development Code (UDC). There are no fees associated with registration of existing non-conforming uses.

The following regulations are added to apply and enforce the Fire Prevention Code:

- Fire Prevention Code (Articles I and II of Chapter 11 of the Municipal Code)

### Future Full Purpose Annexation

The area will be included within the City's full purpose jurisdiction within three years of the effective date of the limited purpose annexation ordinance unless the date for full purpose annexation is postponed by written agreement between the City and a majority of the affected landowners.

AGENDA ITEM NO. 26  
A-P

**CITY OF SAN ANTONIO**  
**INTERDEPARTMENTAL MEMORANDUM**  
**PLANNING DEPARTMENT**

**TO:** Mayor and City Council

**FROM:** Emil R. Moncivais, AICP, AIA, Director, Planning Department

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES:** Jelynn LeBlanc Burley, Assistant City Manager; Christopher J. Brady, Assistant City Manager; Lou Lendman, Director, Nikki Ramos, Executive Assistant, Office of Management & Budget; Florencio Pena, Director, Development Services; Jesus Garza, Roy Ramos, Planning Department; File

**SUBJECT:** First Reading of the Ordinances on annexing: The Galm Rd./Loop 1604 Area, Government Canyon Area/City Properties, Sheldon Tract, Stanton Run Subdivision, Kyle Seale/Loop 1604 Area, Helotes Park Terrace & The Park At French Creek Area, Thrift Tract/City Property, Cielo Vista Area, Stage Run Area, And Lumbermen Tracts, and for Limited Purposes, Annexation of the Southside Initiative Areas 1 – 6 Referred To As: (1) Southside Study Area 1, (2) Southside Study Area 2, Southside Study Area 3, Southside Study Area 4, Southside Study Area 5, And Southside Study Area 6

**DATE:** October 10, 2002

**SUMMARY AND RECOMMENDATIONS**

This is the first reading of the ordinance concerning ten (10) areas proposed for full purpose annexation and six (6) areas proposed for limited purpose annexation effective December 31, 2002. The second reading is scheduled for November 21, 2002. The service plans, field notes and exhibits for the proposed annexation areas are attached.

Staff recommends approval.

**BACKGROUND INFORMATION:**

The City Council at its meeting on August 22, 2002 adopted the 2002 Annexation Plan to include the aforementioned full purpose and limited purpose annexation areas and setting of the annexation schedule.

The City of San Antonio complies with state statutes regarding annexations. This includes advertising in a newspaper of general circulation and on the Internet, notifying school districts, railroad companies, and affected property owners, developing a service plan, holding two public hearings before City Council, and reading of the annexation ordinances.

The service plans for the full purpose annexation areas include provisions for basic city services, from trash collection to fire and police protection. There are no services offered at a higher level than are currently provided to the portion of the tracts currently inside the city's corporate limits. A regulatory plan for the limited purpose Southside Initiative areas 1-6 provides for the

extension of planning, zoning, and health and safety ordinances, and states that the areas will be fully annexed within three years as required by the limited purpose state statutes. Service plans for the full purpose annexation areas and the planning studies/ regulatory plan for the limited purpose areas are attached hereto.

The schedule for the annexations of these areas is as follows:

First Public Hearing	6:00 p.m.	September 05, 2002
Second Public Hearing	6:00 p.m.	September 12, 2002
Planning Commission Public Hearing & Action		September 25, 2002
<b>First Reading of Ordinances</b>		<b>October 10, 2002</b>
Second Reading of Ordinances		November 21, 2002
Adoption of Three-Year Full Purpose Annexation Plan for the limited purpose Southside Initiative areas		November 21, 2002
Effective Date of Annexation		December 31, 2002

The Planning Commission held a public hearing on September 25, 2002, to consider a resolution adopting the proposed 2002 Annexation Areas and recommended against the annexation of all proposed areas.

#### **POLICY ANALYSIS:**

The City's goals for annexation are to preserve its range of annexation options, promote orderly growth, provide municipal services, enhance the City's fiscal position, preserve the integrity of the City and its extraterritorial jurisdiction, and to maintain a systematic annexation process. Staff foresees this proposed annexation as an opportunity for the City to encourage development inside the City limits and plan for development in the limited purpose areas.

Previous annexations have contributed significantly to the City's growth and economic base. New areas continue to grow with supporting businesses and expanding employment opportunities. The opportunity to plan land uses in those annexed areas is also greatly improved with the provisions of the City's Unified Development Code.

#### **FINANCIAL IMPACT:**

Staff conducts an incremental operating cost/revenue analysis to determine financial impacts of a full purpose annexation over a ten-year period. The ten-year operating cost/revenue analysis estimates an additional \$17.5 million in General Fund new operating revenues, and \$9.2 million in additional General Fund operating costs. The full purpose annexation of Galm Rd/Loop 1604, Government Canyon/City Properties, Sheldon Tract, Stanton Run Subdivision, Kyle Seale/Loop 1604, Helotes Park Terrace & The Park at French Creek Area, Thrift Tract/City Property, Cielo Vista area, Stage Run Area, and the Lumbermen's property will net a positive \$8.3 million in additional General Fund operating revenue over the ten year analysis period.

The Southside Initiative area, proposed as a limited purpose annexation area, was evaluated over a three-year period. Over the three-year period, the cost/revenue analysis estimates a net cost to the General Fund of \$668,489 for implementation of the limited purpose annexation and preparation for a full purpose annexation in year four.

In order to provide equitable City services to the annexation areas, the City has included service improvement costs and revenues in the FY 2003 Proposed Budget. Additional resources will be added to the Police Department, Fire Department (Fire & EMS), City Clerk's Office, Development Services Department, Code Compliance Department, Finance Department, Health Department and Public Works Department

The Debt Service cost/revenue analysis estimates an additional \$10.9 million in new revenues, with additional capital expenditures totaling \$934,963. The capital expenditures projected in the plan include one new fire station. Over the ten-year analysis, the City will gain a net revenue of \$10 million for debt service.

If the Lumbermen's track is removed from the proposed annexation package, the ten-year operating cost/revenue analysis would yield an estimated additional \$9.03 million in General Fund new operating revenues, and \$8.98 million in additional General Fund operating costs. The full purpose annexation package without the Lumbermen's track would only net a positive \$49,241 in General Fund operating revenue over the ten-year period as opposed to the net added \$8.3 million in General Fund operating revenue if the Lumbermen's track remains in the annexation package.

**COORDINATION:**

This item was coordinated with the City Attorney's Office, and was submitted to the following departments and agencies for their review and comments: Office of Management & Budget, Police, Fire, Public Works, Code Compliance, Health, Library, Parks and Recreation, Development Services, Economic Development, External Relations, Finance, City Clerk's Office, SAWS and CPS. All recommendations by the aforementioned departments and agencies were favorable.

**SUPPLEMENTARY COMMENTS**

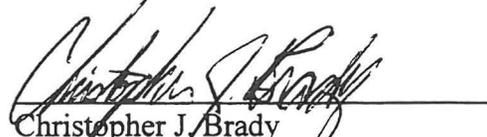
Action will be required at the first and second readings of the annexation ordinances.

**SIGNATURES**

  
Emil R. Moncivais, AICP, AIA  
Director, Planning Department

  
Louis Lerdman  
Director, Office of Management & Budget

  
Jelynn LeBlanc Burley  
Assistant City Manager

  
Christopher J. Brady  
Assistant City Manager

APPROVED:

  
Terry M. Brechtel  
City Manager

**First Reading of the  
Ordinances  
2002 Annexation Areas**

**City Council**

**October 10, 2002**

**Agenda Item #26**

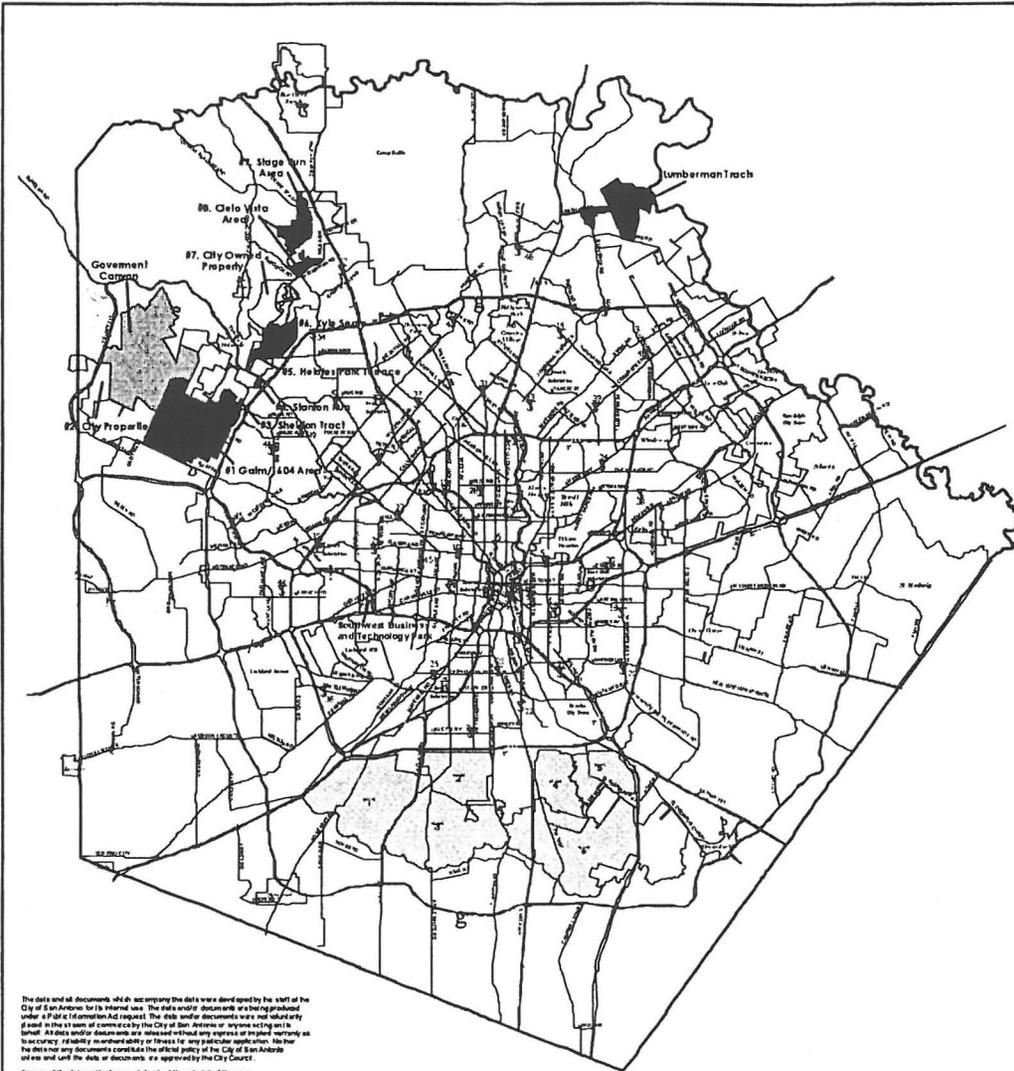
# Background & Schedule

- Council adopted 2002 Annexation Plan and schedule 8/22/02
- Council held first public hearing 9/05/02
- Council held second public hearing 9/12/02
- First Reading of the Ordinances 10/10/02
- Second & final reading of Ordinances 11/21/02
- Effective Date of Annexation 12/31/02

## 2002 Areas Data

Areas	Population	Acres	Sq. Mi.	Housing Units	Council District
<b>Government Canyon/Galm Rd</b>					
1. Galm Rd/Loop 1604 Area	712	6,025	9.41	253	7
2. Government Canyon/City Properties	0	10,283	16.07	0	7
3. Sheldon Tract	0	244	0.38	0	7
<b>Thrift Tract/Kyle Seale</b>					
4. Stanton Run Subdivision	701	73	0.11	249	7
5. Helotes Park Terrace Area	140	146	0.23	54	8
6. Kyle Seale/1604 Area	255	1,312	2.05	98	8
7. Thrift Tract/City owned Property	0	1,279	2.00	0	8
<b>IH 10 West</b>					
8. Cielo Vista Area	246	1,473	2.30	110	8
9. Stage Run Subdivision	0	142	0.22	0	8
<b>Hwy 281 North</b>					
10. Lumbermen Tracts	0	2,694	4.21	0	10
<b>Southside Initiative- Limited Purpose Annex.</b>					
11. Southside Initiative Areas	3,352	36,458	56.97	1,038	3 & 4
<b>Total</b>	<b>5,406</b>	<b>60,129</b>	<b>93.95</b>	<b>1,802</b>	

# 2002 ANNEXATION STUDY AREAS

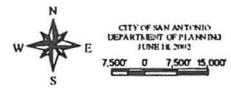


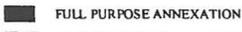
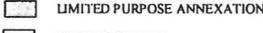
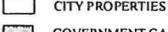
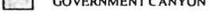
The data and all documents which accompany the data were developed by the staff of the City of San Antonio for its internal use. The data and/or documents or being produced under a contract for completion did require. The data and/or documents are not liability placed in the hands of commerce by the City of San Antonio or anyone acting on its behalf. All data and/or documents are released without any express or implied warranty as to accuracy, reliability, merchantability or fitness for any particular application. No part of the data or any documents constitute the official policy of the City of San Antonio unless and until the data or documents are approved by the City Council.

Any use of the data and/or documents is at the sole risk of the user.

No person has authority to make this disclosure or to make any representation and/or opinion in connection with the same, in whole or in part, without express authority by Resolution or Ordinance duly adopted by the City Council of the City of San Antonio.

It is requested that a copy of this data and/or be included in or attached to every copy of the data and/or documents which are made by any recipient of the data or the documents.



-  POLICE STATIONS
-  FIRE STATIONS
-  CITY OF SAN ANTONIO
-  FULL PURPOSE ANNEXATION
-  LIMITED PURPOSE ANNEXATION
-  CITY PROPERTIES
-  GOVERNMENT CANYON

# Staff Recommendation

- Staff recommends approval.

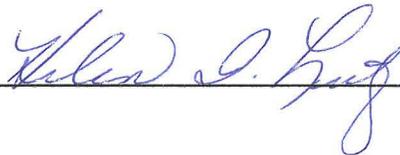
# Affidavit of Publisher

STATE OF TEXAS,

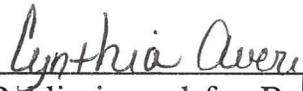
COUNTY OF BEXAR

CITY OF SAN ANTONIO

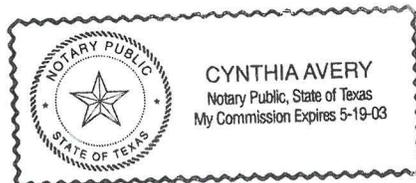
Before me, the undersigned authority, on this day personally appeared Helen I. Lutz, who being by me duly sworn, says on oath that she is Publisher of the Commercial Recorder, a newspaper of general circulation in the City of San Antonio, in the State and County aforesaid, and that the City of San Antonio-Planning-Ordinance 96559 hereto attached has been published in every issue of said newspaper on the following days, to-wit: October 18, 2002.



Sworn to and subscribed before me this 18th day of October, 2002.



Notary Public in and for Bexar County, Texas



**PUBLIC NOTICE**

**NOTE: THE PROPOSED ORDINANCE MAY BE AMENDED TO REDUCE THE SIZE OF THE LAND AND TERRITORY SUBJECT TO THE ANNEXATION.**

**AN ORDINANCE 96559**

**PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE LIMITED PURPOSE ANNEXATION OF APPROXIMATELY 9,796 ACRES OF LAND KNOWN AS THE SOUTHSIDE STUDY AREA 3 PROPERTY; ESTABLISHING AN EFFECTIVE DATE AND ADOPTING A REGULATORY PLAN FOR SUCH AREA.**

WHEREAS, on the 5th day of September, 2002, and the 12th day of September, 2002, the City Council of the City of San Antonio held public hearings on the proposed annexation for limited purposes of approximately 9,796 acres of land known as the Southside Study Area 3 Property situated outside of, but immediately adjacent to the current corporate limits, and such public hearings gave all interested persons the right to appear and be heard on the proposed annexation of such land; and

WHEREAS, notice of the above mentioned public hearings was published in the San Antonio Commercial Recorder on August 23, 2002, a newspa-

per having general circulation in the City of San Antonio, Texas, and within the territory to be annexed, in accordance with law; and

WHEREAS, notice of the above mentioned public hearings was published on August 23, 2002, on the internet web site maintained by the City of San Antonio in accordance with state statutes; and

WHEREAS, the aforementioned public hearings were conducted not more than forty (40) days nor less than twenty (20) days prior to the institution of annexation proceedings; and

WHEREAS, the population of the City of San Antonio, Texas is in excess of 1,144,000 inhabitants, and the areas to be annexed lie within the extraterritorial jurisdiction of the City of San Antonio, Texas, and lie adjacent to and adjoins the City of San Antonio, Texas; and

WHEREAS, after considering public comment and further study of the effect of the proposals on the area involved, the City Council hereby finds that the additions to the previously

published regulatory plan are necessary to clarify the application of the regulatory plan to the land and territory which is annexed for limited purposes; NOW THEREFORE,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The land and territory lying outside of, but adjacent to and adjoining the City of San Antonio, known as Southside Study Area 3 Property, more particularly described as that portion of the described tract of land in Exhibit "A", attached hereto and incorporated herein as if set out verbatim for all purposes, is hereby added and annexed to the City of San Antonio, Texas, for limited purposes of extending certain planning, zoning, and health and safety ordinances. Said territory as described shall hereafter be included within the boundary limits of said city, and the present boundary limits of said city, at the various points contiguous to the area described in Exhibit "A", are altered and amended so as to include said area within the corporate limits of the City of San Antonio, Texas.

**SECTION 2.** The land and territory known as the Southside Study Area 3 Property which is annexed hereby for limited purposes shall be a part of the City of San Antonio, Texas and the property, the residents and landowners thereof shall be subject to and enjoy the rights conferred by Chapter 43, Subchapter F, Limited Purpose Annexations of the Texas Local Government Code and the provisions of this ordinance.

**SECTION 3.** A regulatory plan applicable to the property described in Exhibit "A", is hereby adopted and the implementation of said plan is hereby authorized. Such plan is attached hereto and incorporated herein as if set out verbatim for all purposes as Exhibit "B".

**SECTION 4.** In accordance with Section 35-307(a) of the City of San Antonio Unified Development Code, this property shall be zoned as "DR"-Development Reserve, for land use purposes.

**SECTION 5.** A subsequent ordinance shall designate and assign the land and territory to City Council district or districts as provided by the Charter of the City of San Antonio which designation shall be effective upon the effective date of the annexations.

**SECTION 6.** The land and territory shall be annexed for full purposes within three years from the effective date hereof.

**SECTION 7.** This ordinance shall be effective from and after January 5, 2003.

**PASSED AND APPROVED** this 10th day of October, 2002.

(First Reading)

/s/EDWARD D. GARZA  
Mayor

ATTEST:

/s/ NORMA S. RODRIGUEZ  
City Clerk

**BOUNDARY DESCRIPTION FOR A 9,796 ACRE TRACT KNOWN AS THE SOUTHSIDE**

**STUDY AREA 3 PROPERTY**

A boundary description for an annexation area containing 9,796 Acres, more or less, and being adjacent to the city limits of the City of San Antonio, Bexar County, Texas to the south and being more particularly described as follows:

**BEGINNING:** at the point of intersection of the south right-of-way line of Mauermann Road with the west right-of-way line of Pleasanton Road also being along the current city limits line of the City of San Antonio;

**THENCE:** in a northerly direction crossing Mauermann Road and continuing with the west right-of-way line of Pleasanton Road and with the current city limits line of the City of San Antonio a distance of approximately 2,053 feet to the point of intersection a projection of the northeast boundary line of Parcel P-31, C.B. 4005;

**THENCE:** in a southeasterly direction crossing Pleasanton Road with the northeast boundary line of Parcel P-31, C.B. 4005 and with the southwest then southeast boundary line of Mitchell Lake and also with the current city limits line of the City of San Antonio a distance of approximately 22,628 feet to a northwest corner of Parcel P-7, C.B. 4006;

**THENCE:** in a northeasterly direction with a northwest boundary line of Parcel P-7, C.B. 4006 and with the current city limits line of the City of San Antonio a distance of approximately 2,879 feet to the point of intersection with the west right-of-way line of U.S. Highway 281 South;

**THENCE:** in a southerly direction with the west right-of-way line of U.S. Highway 281 South and with the current city limits line of the City of San Antonio a distance of approximately 12,306 feet to a point along the west right-of-way line of U.S. Highway 281 South being 1,350 feet beyond the centerline of the Medina River;

**THENCE:** in a generally westerly direction with a line being approximately 1,350 feet south of and parallel to the centerline of the Medina River a

distance of approximately 44,443 feet to the point of intersection with the east right-of-way line of State Highway 16 South (Palo Alto Road);

THENCE: in a generally northerly direction with the east right-of-way line of State Highway 16 South (Palo Alto Road) crossing the Medina River, Watson Road and South Zarzamora Street an overall distance of approximately 20,916 feet to the northwest corner of Parcel P-10A, C.B. 4005 also being the southwest corner of Parcel P-9, C.B. 4005 and also being a corner of the current city limits line of the City of San Antonio;

THENCE: in an easterly direction with the north boundary line of Parcels P-10A, P-5, C.B. 4005, Lot 1, C.B. 4005D, C.G. Estate Subdivision and the south boundary line of Parcel P-9, C.B. 4005B, Lot 1, C.B. 4005C Applewhite Mobile Home Subdivision a distance of approximately 2,356 feet to the point of intersection with the west right-of-way line of Applewhite Road;

THENCE: in a southeasterly then southerly direction with the west right-of-way line of Applewhite Road and crossing South Zarzamora Street an overall distance of approximately 3,351 feet to the point of intersection with a projection of the southwest right-of-way line of Mauermann Road;

THENCE: in a southeasterly then easterly direction with the southwest right-of-way line of Mauermann Road a distance of approximately 9,290 feet to the northeast corner of Parcel P-22, C.B. 4005H also being a point along the current city limits line of the City of San Antonio;

THENCE: in a generally southerly direction with the southeast boundary line of Parcel P-22, C.B. 4005H and with the current city limits line of the City of San Antonio a distance of approximately 3,657 to the centerline of Leon Creek;

THENCE: in an easterly

direction with the centerline of Leon Creek and with the current city limits line of the City of San Antonio a distance of approximately 3,283 feet to the point of intersection with the southwest boundary line of Parcel P-24C, C.B. 4005;

THENCE: in a generally northwesterly direction with the southwest boundary line of Parcels P-24C, P-24, C.B. 4005 and with the current city limits line of the City of San Antonio a distance of approximately 5,170 feet to the point of intersection with the south right-of-way line of Mauermann Road;

THENCE: in an easterly direction with the south right-of-way line of Mauermann Road and with the current city limits line of the City of San Antonio a distance of approximately 6,341 feet to the POINT OF BEGINNING for this annexation area containing 9,796 Acres, more or less.

NOTE: This boundary description has not been verified on the ground and is not intended to be used as a metes and bounds description of the land described herein.

**SOUTHSIDE INITIATIVE  
REGULATORY PLAN FOR  
SOUTHSIDE STUDY AREA  
"3"**

**Area Description**

The area proposed to be annexed for limited purposes covers approximately 9.796 acres generally extending from the south side of Mauermann Road between State Highway 16 and US Highway 281 to about 1,350 feet south of the Medina River centerline as defined by the Texas Department of Transportation and generally including the land found within the Land Heritage Institute of the Americas.

Comprising the predominant use, approximately 69 percent of the study area is agricultural land. The remainder of the study area includes a range of land uses. Approximately 24 percent of the study area is composed of public or institutional uses. Undeveloped or underdeveloped lands comprise about 3 percent of the study area. Approximately 2 percent of the area currently is in residential use. Commercial uses comprise about 2 percent of the area. Industrial uses comprise the remaining area.

The area's population is estimated at approximately 156 residents and contains about 53 dwelling units.

Regulatory Plan for Southside Limited Purpose Annexation Area #3

**Development Regulations**

The following planning, zoning, health and safety ordinances will be enforced in the area if annexed for limited purposes:

- Building Code (Chapter 6 of the Municipal Code)
- Electricity Code (Chapter 10 of the Municipal Code)
- Fire Prevention Code (Articles III and IV of Chapter 11 of the Municipal Code)
- Solid Waste Code specifically pertaining to Lot Clearance (Article V of Chapter 14 of the Municipal Code)
- Licenses and Business Regulations specifically pertaining to Salvage Yards and Auto Dismantlers (Article VII of Chapter 16 of the Municipal Code)
- Plumbing Code (Chapter 24 of the Municipal Code)
- Signs and Billboards (Chapter 28 of the Municipal Code)
- Water and Sewers (Chapter 34 of the Municipal Code)
- Unified Development Code (Chapter 35 of the Municipal Code) including, but not limited to, all zoning regulations

and all subsequent amendments, replacement ordinances, and related technical and illustrative manuals to these ordinances. The City has used its best efforts to provide accurate references to the Municipal Code sections in which the ordinances described above are codified. In the event that a portion of the Municipal Code listed above contains a reference to a portion of the Municipal Code or another City Ordinance that is

not listed above then, to the extent necessary to either provide meaning to or to carry out the meaning of the listed portions, the referenced portions of the Municipal Code or other City Ordinances shall also apply. Any failure to list all relevant Municipal Code references is inadvertent and will not affect enforcement of the ordinances by the City.

The adopted regulatory plan must be the same as the proposed regulatory plan unless the San Antonio City Council finds and states in the ordinance the reasons for adoption of a different regulatory plan. The San Antonio City Council by ordinance may change an adopted regulatory plan if, in the ordinance making the change, the City Council finds and states the reasons for the adoption of the change.

**Changes:**

The following changes to the regulatory plan for limited purpose annexation are recommended as a result of the public hearings and public meetings with property owners of the affected area:

**• Fences:**

Property owners will be allowed to erect, maintain and repair traditional barbed wire or electric fences used in conjunction with agricultural, farming or ranching operations. (The following sections of the City Code shall not apply: Sec. 6-2b, Barbed wire fences and Sec. 10-93 d, electrified fences)

**• Non-Conforming Rights:**

To establish nonconforming rights for zoning, property owners with existing land uses are encouraged to register within one year of the annexation date with the Development Services Department. A Certificate of Occupancy will be issued certifying only those uses required by applicable City and State Codes. Unless exempted by Chapter 43 of the Texas Local Government Code, nonconforming rights to allow future construction or the development of a master plan must be filed within 60 days of annexation, with the Department of Planning in accordance with the Unified Development Code (UDC). There are no fees associated with registration of existing nonconforming uses.

The following regulations are added to apply and enforce the Fire Prevention Code:

**• Fire Prevention Code (Articles I and II of Chapter 11 of the Municipal Code)**

**Future Full Purpose Annexation**

The area will be included within the City's full purpose jurisdiction within three years of the effective date of the limited purpose annexation ordinance unless the date for full purpose annexation is postponed by written agreement between the City and a majority of the affected landowners.