EF/mb
01/09/2014
Item No. 4. Amended

AN ORDINANCE 2014-01-09-0001

PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE LIMITED PURPOSE ANNEXATION OF APPROXIMATELY 18,729 ACRES OF LAND KNOWN AS THE SOUTH SAN ANTONIO LIMITED PURPOSE ANNEXATION AREA 1, AREA 2, AREA 3, AND AREA 4; ESTABLISHING AN EFFECTIVE DATE AND ADOPTING A REGULATORY PLAN FOR SUCH AREA.

* * * * *

WHEREAS, on the 4th day of December, 2013, and the 5th day of December, 2013, the City Council of the City of San Antonio held public hearings on the proposed annexation for limited purposes of approximately 18,729 acres of land known as the South San Antonio Limited Purpose Annexation Areas 1 through 4, 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, notices of the above mentioned public hearings were published in the Commercial Recorder Newspaper on October 30, 2013 and the San Antonio Express-News newspaper, Metro Section on October 31, 2013, newspapers having general circulation in the City of San Antonio, Texas, and within the territory to be annexed, in accordance with law; and

WHEREAS, notices of the above mentioned public hearings were published on November 1, 2013, on the internet web site maintained by the City of San Antonio in accordance with state statutes; and

WHEREAS, notice of availability of the South San Antonio Limited Purpose Annexation Areas 1 through 4 Planning Study and Regulatory Plan was published in the Commercial Recorder on October 30, 2013 and the San Antonio Express-News newspaper on October 31, 2013 a newspaper having general circulation in the City of San Antonio, Texas, and 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 1,327,407 inhabitants, and the areas to be annexed lie within the extraterritorial jurisdiction of the City of San Antonio, Texas, and lie adjacent to and adjoin the City of San Antonio, Texas; **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 the San Antonio Limited Purpose Annexation Areas 1 through 4, more generally described in the map in **Exhibit "A,"** attached hereto and incorporated herein verbatim for all purposes, is hereby added and annexed to the City of San Antonio, Texas, and 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 "B,"** 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 South San Antonio Limited Purpose Annexation Areas 1 through 4, 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. The area to be annexed for limited purposes described in **"Exhibit A"** shall include all the property described therein, save and except those properties that are the subject of a development agreement between the City of San Antonio and property owners.

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 verbatim for all purposes as **Exhibit "C"**. The City Council hereby finds that is in the public interest to avoid duplication of services and fees by Bexar County and the City of San Antonio to allow Bexar County to continue to provide services and collect the fee for Drainage Utility Services and also finds that is necessary to allow time for property owners to convert from rural community standards to urban community standards and that the regulatory plan adopted by this ordinance and attached as **"Exhibit C"** should be and is hereby amended as follows:

Development Regulations Following Limited Purpose Annexation

* * * * *

- Water and Sewers (Chapter 34) <u>excluding services and fees for Drainage Utility Services authorized by the Texas Local Government Code, Section 552.044(4)(A) and adopted in § 34-1111 of the City Code.</u>

* * * * *

- <u>Owners of property within the limited purpose annexation area will be allowed 180 days to bring their property into compliance with City Codes</u>

SECTION 4. The land and territory shall be subject to full purpose annexation within three years the effective date hereof.

SECTION 5. This Ordinance shall be effective from and after **January 19, 2014**.

PASSED AND APPROVED on this 9th day of January 2014.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

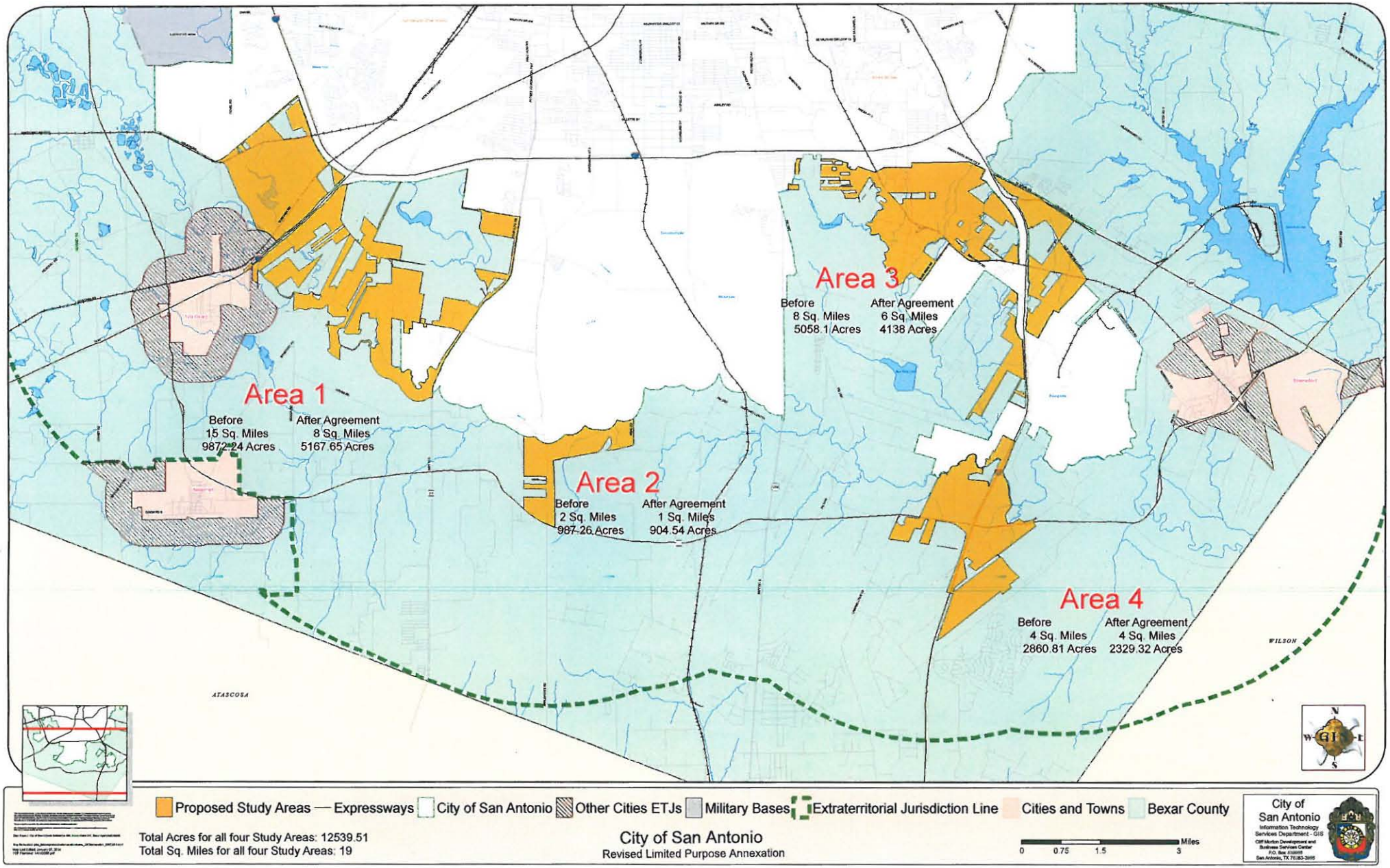
APPROVED AS TO FORM:

for Robert F. Greenblum, City Attorney

Agenda Item:	**4 (in consent vote: 4, 5, 5A, 5B, 5C)**
Date:	01/09/2014
Time:	10:26:08 AM
Vote Type:	Motion to Appr w Cond
Description:	Reading and consideration of an ordinance approving the Limited Purpose Annexation of South San Antonio Areas 1 - 4, consisting of 36 square miles generally located south of Loop 410, between Old Pearsall Road and State Highway 181, in the southern portion of San Antonio's Extraterritorial Jurisdiction and Bexar County and the Adoption of the Regulatory Plan. [Peter Zanoni, Deputy City Manager, John Dugan, AICP, Director, Planning and Community Development]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2	x					
Rebecca Viagran	District 3		x			x	
Rey Saldaña	District 4		x				x
Shirley Gonzales	District 5			x			
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Carlton Soules	District 10		x				

AMENDED
EXHIBIT A



Proposed Study Areas — Expressways | City of San Antonio | Other Cities ETJs | Military Bases | Extraterritorial Jurisdiction Line | Cities and Towns | Bexar County

Total Acres for all four Study Areas: 12539.51
Total Sq. Miles for all four Study Areas: 19

City of San Antonio
Revised Limited Purpose Annexation

0 0.75 1.5 3 Miles

City of San Antonio
Information Technology Services Department - GIS
Cliff Morton Development and Business Services Center
P.O. Box 839966
San Antonio, TX 78283-3966

AMENDED

Exhibit B"

BOUNDARY DESCRIPTION FOR A 9,872 ACRE AREA KNOWN AS THE SOUTH SAN ANTONIO LIMITED PURPOSE ANNEXATION AREA 1 COMPRISED OF TWO TRACTS

TRACT I. A boundary description for a limited purpose annexation area containing 2,115 Acres, more or less, and being adjacent to the current city limits of the City of San Antonio, Bexar County, Texas to the north and east and being more particularly described as follows:

BEGINNING: at a point located at the intersection of the south right-of-way line of Old Pearsall Road and the city limit line of the City of San Antonio as recorded in Ordinance No. 83135 in the records of the Office of the City Clerk of the City of San Antonio, Bexar County, Texas;

THENCE: in a southeasterly direction following the city limit line of the City of San Antonio as recorded in Ordinance No. 68291 and 81105, a distance of approximately 9,671 feet, to the a point 500 feet southwest of and parallel to the southwest right-of-way line of S.W. Loop 410 along the northwest right-of-way line of IH-35;

THENCE: in a southwesterly direction following the city limit line of the City of San Antonio as recorded in Ordinance No. 32612, a distance of approximately 9,526 feet, to the extraterritorial jurisdiction boundary of the City of Von Ormy, as described in Ordinance No. 2011-09-01-0718;

THENCE: in a northwesterly then west direction following the City of Von Ormy extraterritorial jurisdiction boundary a distance of approximately 2,315 feet;

THENCE: in a generally northwest direction, a distance of approximately 8,356 feet, to a point along the city limit line of the City of San Antonio, recorded in Ordinance No. 76894, perpendicular to the south most point of the Nelson Road right-of-way;

THENCE: in a northeasterly direction following the city limit line of the City of San Antonio as recorded in Ordinance No. 83135 and 76894, a distance of approximately 10,363 feet, to the POINT OF BEGINNING of this annexation area containing 2,115 acres, more or less.

Save and except an approximately 55.4 Acre tract subject to a Five (5) Year Non- Annexation Agreement as recorded in Ordinance No. 2012-06-14-0451 being more particularly described as Parcel P-20C, C.B. 4301, Lot P-20C, N.C.B. 14492 and an approximately 12.3 Acre tract described as Parcel P-116, Abstract No. 6, C.B. 4301.

TRACT II. A boundary description for a limited purpose annexation area containing 7,811Acres, more or less, and being adjacent to the current city limits of the City of San Antonio, Bexar County, Texas to the north, east, and west and being more particularly described as follows:

BEGINNING: at a point along the southeast right-of-way line of Interstate Highway 35 South and the centerline of the Medina River;

THENCE: in a northeasterly direction with the southeast right-of-way line of Interstate Highway 35 South crossing Fisher Road and continuing a total distance of approximately 10,990 feet to the point of intersection with the current city limits line of the City of San Antonio being approximately 500 feet south of and parallel to the south right-of-way line of Southwest Loop 410;

THENCE: in a northeasterly direction with the current city limits line of the City of San Antonio being approximately 500 feet south of and parallel to the south right-of-way line of Southwest Loop 410 a distance of approximately 13,215 feet to the point of intersection with the southeast boundary line of Parcel P-4D, C.B. 4295 also being along the current city limits line of the City of San Antonio;

THENCE: in a southwesterly direction with the southeast boundary line of Parcels P-4D, P-19, P-20, C.B. 4295 and with the current city limits line of the City of San Antonio a distance of approximately 4,012 feet to the northwest corner of Parcel P-18, C.B. 4295;

THENCE: in a southeasterly direction with the northeast boundary line of Parcel P-18, C.B. 4295 and with the current city limits line of the City of San Antonio crossing highway 16 South (Palo Alto Road) an overall distance of approximately 6,078 feet to the point of intersection with the east right-of-way line of Highway 16 South (Palo Alto Road);

THENCE: in a southwesterly direction with the east right-of-way line of Highway 16 South (Palo Alto Road) crossing Walsh Road, Watson Road and the Medina River an overall distance of approximately 21,166 feet to a point along the east right-of-way of State Highway 16 South (Palo Alto Road) to the southwest corner of Parcel P-9, C.B. 4201;

THENCE: in a westerly direction crossing State Highway 16 South with a line perpendicular to its eastern right-of-way line, a distance of approximately 210 feet to the point of intersection with the western right-of-way line of State Highway 16 South;

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 crossing Somerset Road an overall distance of approximately 27,600 feet to the point of intersection with the southeast right-of-way line of Interstate Highway 35 South;

THENCE: in a northwesterly direction crossing Interstate Highway 35 South with a line perpendicular to its southeast right-of-way line a distance of approximately 390 feet to a point along the northwest right-of-way line of Interstate Highway 35 South;

THENCE: in a northeasterly direction with the northwest right-of-way line of Interstate Highway 35 South a distance of approximately 1,139 feet to the point of intersection with the current city limits line of the City of San Antonio;

THENCE: in a southeasterly direction with the current city limits line of the City of San Antonio and crossing Interstate Highway 35 South a distance of approximately 330 feet to a point along the southeast right-of-way line of Interstate Highway 35 South;

THENCE: in a northeasterly direction with the southeast right-of-way line of Interstate Highway 35 South and the current city limits line of the City of San Antonio a distance of approximately 700 feet to the POINT OF BEGINNING for this annexation area containing 8,358 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.

SAVE AND EXECPT BOUNDARY DESCRIPTION FOR A 532.59 -ACRE TRACT KNOWN AS CROSSWINDS AT SOUTHLAKE

Save and except a 532.59 acre, or 23,199,987 square foot more or less, tract of land being all of that 314.189 acre tract recorded in Volume 9950, Pages 1763-1766 of the Official Public Records of Real Property, Bexar County, Texas, all of a 50.457 acre tract recorded in Volume 10384, Page 107 of the Official Public Record of Real Property, Bexar County, Texas, all of a 99.0 acre tract recorded in Volume 10571, Pages 1809-1810 of the Official Public Records of Real Property, Bexar County Texas, all of an 84.129 acre tract recorded in the Deed Records of Bexar County, Texas, and a portion of a 40 acre tract recorded in Volume 7233, Pages 705-707 of the Deed Records of Bexar County, Texas.

BOUNDARY DESCRIPTION FOR A 987 ACRE AREA KNOWN AS THE SOUTH SAN ANTONIO LIMITED PURPOSE ANNEXATION AREA 2

A boundary description for a limited purpose annexation area containing 987 Acres, more or less, and being adjacent to the current city limits of the City of San Antonio, Bexar County, Texas to the north and being more particularly described as follows:

BEGINNING: at a point located at the intersection of the city limit line of the City of San Antonio as recorded in Ordinance No. 101605 in the records of the Office of the City Clerk of the City of San Antonio, Bexar County, Texas and the west boundary line of Parcel P-1C, C.B. 4188;

THENCE: in an easterly direction following the city limit line of the City of San Antonio as recorded in Ordinance No. 101605, to the point of intersection with the east right-of-way line of Neal Road;

THENCE: in a south then west direction along the east then south right-of-way line of Neal Road to the north east corner of Parcel P-1A, A.R.B. TR-B1, Abstract No. 577, C.B. 4013;

THENCE: in a generally south direction along the east boundary of said parcel to the south right-of-way line of South Loop 1604 West;

THENCE: in a northwesterly direction along the south right-of-way line of South Loop 1604 West, a distance of approximately 3,656 feet, to a point perpendicular to the west boundary of Parcel P-3B, Abstract No. 168, C.B. 4188;

THENCE: in a generally north direction, a distance of approximately 7,835 feet, to the POINT OF BEGINNING for this annexation area containing 987 Acres, more or less.

Save and except Tract A5& A6, Abstract No. 577, C.B. 4013.

BOUNDARY DESCRIPTION FOR A 5,058 ACRE AREA KNOWN AS THE SOUTH SAN ANTONIO LIMITED PURPOSE ANNEXATION AREA 3 COMPRISED OF FIVE TRACTS

TRACT I. A boundary description for a limited purpose annexation area containing 3,292
Acres, more or less, and being adjacent to the current city limits of the City of San Antonio, Bexar County, Texas to the north and being more particularly described as follows:

BEGINNING: at a point along the southwest right-of-way line of Southton Road being approximately 440 feet southeast of the point of the intersection with the south right-of-way line of Shane Road and said point also being along the current city limits line of the City of San Antonio as recorded in Ordinance No. 18115;

THENCE: in an easterly direction crossing Southton Road with the north line of Parcel P-3, C.B. 5161 and with the current city limits line of the City of San Antonio a distance of approximately 439 feet to a corner of Parcel P-3, C.B. 5161;

THENCE: in a northerly direction with a west line of Parcel P-3, C.B. 5161and with the current city limits line of the City of San Antonio a distance of approximately 471 feet to the point of intersection with the north boundary line of Lot 6, Block 1, C.B. 5161A;

THENCE: in an easterly direction with the north boundary line of Lot 6, Block 1, C.B. 5161A, Parcel P-3A, C.B. 5161, Parcel P-142, C.B. 4007-6 and with the current city limits line of the City of San Antonio a distance of approximately 5,981 feet to the point of intersection with southwest right-of-way line of South Presa Street;

THENCE: in a southeasterly direction with the southwest right-of-way line of South Presa Street and with the current city limits line of the City of San Antonio a distance of approximately 1,629 feet to an angle point of the current city limits line of the City of San Antonio;

THENCE: in a southwesterly direction entering Parcel P-142, C.B. 4007-6 with the current city limits line of the City of San Antonio a distance of approximately 965 feet to an angle point of the current city limits line of the City of San Antonio;

THENCE: in a southeasterly then southerly direction with a line approximately 670 feet southwest of the southwest right-of-way line of Interstate Highway 37 South crossing Blue Wing Road and with the current city limits line of the City of San Antonio a distance of approximately 9,958 feet to the point of intersection with the south right-of-way line of the Union Pacific Railroad;

THENCE: in a westerly then northwesterly direction with the south then west right-of-way line of the Union Pacific Railroad and with the current city limits line of the City of San Antonio a distance of approximately 7,608 feet to the point of intersection with the southeast right-of-way line of Blue Wing Road South;

THENCE: in a southwesterly then southeasterly direction with the southeast right-of-way line of Blue Wing Road South and with the current city limits line of the City of San Antonio a distance of approximately 4,656 feet to the point on the current city limits line of the City of San Antonio perpendicular to the south most point of Parcel P-250A, Abstract No. 11, C.B. 4007;

THENCE: in a northwesterly direction crossing Blue Wing Road with the southwest line of Parcel P-250A, Abstract No. 11, C.B. 4007 a distance of approximately 1,450 feet to the point of intersection with the centerline of Salado Creek;

THENCE: in a southwesterly direction with the centerline of Salado Creek a distance of approximately 1,300 feet to the point of intersection with the centerline of the San Antonio River;

THENCE: in a generally northwesterly direction with the centerline of the San Antonio River a distance of approximately 18,800 feet to a point perpendicular to the southeast point of Parcel P-17A, C.B. 4002-1;

THENCE: in a southwesterly direction a distance of approximately 2,480 feet with the southeast line of Parcel P-17A, C.B. 4002-1, Parcel P-17, C.B. 4002-1 to the point of intersection with the west right-of-way line of Espada Road;

THENCE: in a northerly direction a distance of approximately 490 feet to the southeast corner of Parcel P-15C, C.B. 4002-1;

THENCE: in a westerly direction with the south line of Parcel P-15C, C.B. 4002-1 a distance of approximately 1,361 feet to the southwest corner of said parcel;

THENCE: in a northerly then northwesterly direction with the west lines of Parcels P-15C, P-15B, P-15A, P-15, P-14, and P-13, C.B. 4002-1 a distance of approximately 998 feet to the northwest corner of Parcel P-13, C.B. 4002-1;

THENCE: in a westerly direction with south line of Parcels P-24A, P-24B, P-24C, P-24D, P-24E and P-24F, Abstract No. 769, C.B. 4283B and Parcel P-24, Abstract No. 769, C.B. 4283 a distance of approximately 2,140 feet to the southwest corner of Parcel P-24, Abstract No. 769, C.B. 4283;

THENCE: in a northerly direction with the east line of Parcel Lot Tract J, N.C.B. 11039, P-58, P-58A, Abstract No. 769, C.B. 4283 a distance of approximately 940 feet to the point of intersection with the southwest corner of Parcel P-18, Abstract No. 769, C.B. 4283B;

THENCE: in a easterly direction with the south line of Parcel P-18, Abstract No. 769, C.B. 4283B a distance of approximately 1,900 feet to the southeast corner of said tract;

THENCE: in a northerly direction with the east line of Parcel P-18, Abstract No. 769, C.B. 4283B a distance of approximately 340 feet to the northeast corner of said tract;

THENCE: in a westerly direction with the north line of Parcel P-18, Abstract No. 769, C.B. 4283B a distance of approximately 1,900 feet to the northwest corner of said tract;

THENCE: in a northerly direction with the east line of Parcel Lot Tract J, N.C.B. 11039, P-58, P-58A, Abstract No. 769, C.B. 4283 a distance of approximately 1,800 feet to the point of intersection with the existing city limits line of the City of San Antonio;

THENCE: in a easterly direction the with the existing city limits line of the City of San Antonio as recorded in Ordinance No. 18115 and Ordinance No. 41433 a distance of approximately 9,630 feet to the POINT OF BEGINNING for this annexation area containing 3,292 Acres, more or less.

TRACT II. A boundary description for a limited purpose annexation area containing 13.81
Acres, more or less, and being adjacent to the current city limits of the City of San Antonio, Bexar County, Texas to the north and west and being more particularly described as follows:

BEGINNING: at a point along the current city limits line of the City of San Antonio as recorded in Ordinance No. 41434 being approximately 500 feet south of the north right-of-way line of Chavaneaux Road and also being the northeast corner of Villa Coronado, a subdivision recorded in Volume 2805, Page 42 of the Plat Records of Bexar County, Texas;

THENCE: in a easterly direction crossing Marshall Way with the with the current city limits line of the City of San Antonio as recorded in Ordinance No. 18115 a distance of approximately 442 feet to the point of intersection with the east right-of-way line of Marshall Way and with the west line of Espada Special Improvement District No. 1 as recorded in Ordinance No. 2008-03-18-0224;

THENCE: in a southwesterly then generally south direction with the west line of said Espada Special Improvement District No. 1 a distance of approximately 1,824 feet to the northeast corner of Parcel P-48C, Abstract No. 769, C.B. 4283;

THENCE: in a westerly direction with the north line of Parcel P-48C, Abstract No. 769, C.B. 4283 a distance of approximately 370 feet to the current city limits line of the City of San Antonio as recorded in Ordinance No. 41434;

THENCE: in a generally north then northeast direction with the current city limits line of the City of San Antonio as recorded in Ordinance No. 41434 a distance of approximately 1,576 feet to the POINT OF BEGINNING for this annexation area containing 13.81 Acres, more or less.

TRACT III. A boundary description for a limited purpose annexation area containing 13.83 Acres, more or less, and being adjacent to the current city limits of the City of San Antonio, Bexar County, Texas to the west and being more particularly described as follows:

BEGINNING: at the point of intersection of the current city limits line of the City of San Antonio as recorded in Ordinance No.68293 and the north line of Parcel P-49, N.C.B. 15647 and P-49, C.B. 4283, Abstract No. 769;

THENCE: in a generally east direction with the north lines of said Parcel a distance of approximately 1,100 feet to the point of intersection with the west line of Espada Special Improvement District No. 1 as recorded in Ordinance No. 2008-03-18-0224 also being the east line of Parcel P-49, N.C.B. 15647 and P-49, C.B. 4283, Abstract No. 769;

THENCE: in a southerly direction with the west line of Espada Special Improvement District No. 1 a distance of approximately 568 feet to the point of intersection with the southeast corner of Parcel P-49, N.C.B. 15647 and P-49, C.B. 4283, Abstract No. 769;

THENCE: in a westerly direction with the south line of said Parcel a distance of approximately 1,007 feet to the point of intersection with the current city limit line of the City of San Antonio as recorded in Ordinance No. 68293;

THENCE: in a northerly direction with the current city limit line of the City of San Antonio as recorded in Ordinance No. 68293 a distance of approximately 585 feet to the POINT OF BEGINNING of this annexation area containing 13.83 Acres, more or less.

TRACT IV. A boundary description for a limited purpose annexation area containing 1,285 Acres, more or less, and being adjacent to the current city limits of the City of San Antonio, Bexar County, Texas to the north and west and being more particularly described as follows:

BEGINNING: at the point of intersection of the current city limits line of the City of San Antonio as recorded in Ordinance No.32618 and the northeast line of IH-37;

THENCE: in a southeasterly direction with the southwest right-of-way line of South Presa Street then the southwest right-of-way line of U.S. Highway 181 being also the current city limits line of the City of San Antonio a distance of approximately 9,269 feet to the point of intersection with the southeast right-of-way line of Donop Road;

THENCE: in a southwesterly direction with the southeast right-of-way line of Donop Road a distance of approximately 2,418 feet to the point of intersection with the northeast right-of-way line of Old Corpus Christi Road;

THENCE: in a southeasterly direction with the northeast right-of-way line of Old Corpus Christi Road a distance of approximately 4,763 feet to a point of intersection perpendicular to the north most corner of Parcel P-215, Abstract No. 11, C.B. 4007 and also being an extension of the current city limits line of the City of San Antonio as recorded in Ordinance No. 66019;

THENCE: in a southwesterly direction crossing Old Corpus Christi Road along said extension of the current city limits line of the City of San Antonio being also the northwest line of Parcel P-215, Abstract No. 11, C.B. 4007 a distance of approximately 584 feet to the current city limits line of the City of San Antonio;

THENCE: in a generally southwest direction with the current city limits line of the City of San Antonio as recorded in Ordinance No. 66019 a distance of approximately 5,763 feet crossing Southton Road and Donop Road to the point of intersection with the southwest right-of-way line of Donop Road being also the current city limits line of the City of San Antonio;

THENCE: in generally northwest direction with the current city limits line of the City of San Antonio as recorded in Ordinance No. 66019 a distance of approximately 18,981 feet to the POINT OF BEGINNING of this annexation area containing 1,285Acres, more or less.

TRACT V. A boundary description for a limited purpose annexation area containing 453 Acres, more or less, and being adjacent to the current city limits of the City of San Antonio, Bexar County, Texas to the north and east and being more particularly described as follows:

The portions of the below listed Parcels outside of the current city limits of the City of San Antonio as recorded in Ordinance No. 66019 and the portion of the Donop Road right-of-way adjacent to said parcels.

C.B. 4007-9, P-310
C.B. 4007-9, P-296G
C.B. 4007-9, P-296K (OUT OF P-296J)
C.B. 4007-9, P-315
C.B. 4007-9, P-311 (17.12AC) & P-296J (4.12AC)

C.B. 4007, P-312
C.B. 5602, P-5
C.B. 5602, P-2F
C.B. 5602, P-2H, P-5A, P-5B, P-5C, P-8A, P-8B, P-8C & P-8D
C.B. 5602, P-9
N.C.B. 16626, LOT P-244A, C.B. 4007-5, P-244& 244A
N.C.B. 16627, LOT P-236, C.B. 4007-5, P-236
N.C.B. 16627, LOT P-1, C.B. 5602, P-1
N.C.B. 16627, LOT P-234, C.B. 4007-5, P-234

BOUNDARY DESCRIPTON FOR A 2,861 ACRE TRACT KNOWN AS THE SOUTH SAN ANTONIO AREA 4 LIMITED PURPOSE ANNEXATION AREA

SECTION I. A boundary description for a limited purpose annexation area containing 2,861 Acres, more or less, and being adjacent to the current city limits of the City of San Antonio, Bexar County, Texas to the north and being more particularly described as follows:

BEGINNING: at the point of intersection of an extension of the northwest line of Parcel P-1, P-1C, Abstract No. 505, C.B. 4137, P-16, C.B. 4167 as recorded in Volume 12132, Page 0349 of the Deed and Plat Records of Bexar County and the centerline of the Medina River being also the current city limits line of the City of San Antonio as recorded in Ordinance No. 66019;

THENCE: in a northeasterly direction along the meanders of the Medina River being also with the said current city limit line of the City of San Antonio a distance of approximately 8,000 feet to its junction with the centerline of the San Antonio River;

THENCE: in a northeasterly direction with the current city limit line of the City of San Antonio a distance of approximately 3,540 feet to the north most corner of Parcel P-297B, C.B. 4007;

THENCE: in a southeasterly direction with the current city limit line of the City of San Antonio crossing IH-37 a distance of approximately 1,365 feet to the point of intersection with the southeast right-of-way line of IH-37;

THENCE: in a southwesterly direction with the southeast right-of-way line of IH-37 a distance of approximately 2,475 feet to the centerline of the San Antonio River;

THENCE: in a southerly then generally west direction with the centerline of the San Antonio River a distance of approximately 6,218 feet to the point of intersection with the northeast corner of Parcel P-43D, C.B. 4010;

THENCE: in a southerly then southeasterly direction with the east line of Parcel P-43D, C.B. 4010 and crossing the Labus Road right-of-way a distance of approximately 1,882 feet to the southeast right-of-way line of Labus Road;

THENCE: in a southwesterly direction with the southeast right-of-way line of Labus Road a distance of approximately 425 feet to the point of intersection with the north right-of-way line of Loop 1604;

THENCE: in a southerly direction crossing Loop 1604 a distance of approximately 215 feet to the northeast corner of Parcel P-52D and P-100D, C.B. 4010;

THENCE: in a southeasterly direction with the northeast line of Parcel P-52D and P-100D, C.B. 4010 to the southeast corner of said Parcel;

THENCE: in a southwesterly direction with the southeast line of Parcels P-52D, P-100D, P-66K, P-100C, P-66J, and P-66F, C.B. 4010 a distance of approximately 4,788 feet to the point of intersection with the northeast right-of-way line of Lamm Road;

THENCE: in a southeasterly direction with the north east right-of-way line of Lamm Road a distance of approximately 3,100 feet to the point of intersection with the southeast corner of Parcel P-64, C.B. 4010;

THENCE: in a southwesterly direction crossing Lamm Road to the northeast corner of Parcel P-64A, C.B. 4010;

THENCE: in a southwesterly direction with the southeast line of Parcel P-64A, C.B. 4010 a distance of approximately 1,167 feet to the south east corner of Parcel P-64A;

THENCE: in a southeasterly direction with the northeast line of Parcel P-74, C.B. 4010 to the north east corner of said parcel;

THENCE: in a southwesterly direction with the southeast line Parcel P-74, C.B. 4010 to south east corner of said parcel;

THENCE: in a northwesterly direction with the southwest line of Parcel P-74, C.B. 4010 to the south west corner of said parcel;

THENCE: in a southwesterly direction with the southeast line of Parcel P-73, C.B. 4010 a distance of approximately 8,109 feet to the point of intersection with the east right-of-way line of IH-37;

THENCE: in a northerly direction with the east right-of-way line of IH-37 a distance of approximately 5,004 feet to a point perpendicular to the north east corner of Parcel P-96A, C.B. 4010;

THENCE: in a northwesterly direction crossing IH-37 in a line perpendicular to the west right-of-way line a distance of approximately 620 feet to the north east corner of Parcel P-96A, C.B. 4010;

THENCE: in a southwesterly direction with the north west line of Parcel P-96A, C.B. 4010 a distance of approximately 946 feet;

THENCE: in a northerly direction along a line 500 feet from and perpendicular to the west right-of-way line of IH-37 a distance of approximately 5,240 feet the point of intersection with the easterly prolongation of the south line of Lot 5, Block 1, C.B. 4167A;

THENCE: in a northwesterly direction along the easterly prolongation of the south line of Lot 5 , Block 1, C.B. 4167A a distance of approximately 605 feet to the south east corner of Lot 5, Block 1, C.B. 4167A;

THENCE: in a northwesterly direction along the south lines of Lots 1 thru 5 and the prolongations of said south lines a distance of approximately 6,987 feet to the point of intersection with the east right-of-way line of Campbellton Road;

THENCE: in a northerly direction along the east right-of-way line of Campbellton Road a distance of approximately 2,537 feet to the point of intersection with the south right-of-way line of Loop 1604;

THENCE: in an easterly direction with the south right-of-way line of Loop 1604 a distance of approximately 2,068 feet to the point of intersection with the northeast corner of Parcel P-24, C.B. 4167;

THENCE: in a northeasterly direction crossing Loop 1604 to the southwest corner of Parcel P-1, P-1C, Abstract No. 505, C.B. 4137, P-16, C.B. 4167;

THENCE: in a northeasterly direction with the northwest line of Parcel P-1, P-1C, Abstract No. 505, C.B. 4137, P-16, C.B. 4167 a distance of approximately 4,111 feet to the POINT OF BEGINNING of this annexation area containing 2,861 Acres, more or less.

SECTION II. Save and Except those properties for which Development Agreements in Lieu of Annexation were approved by the City Council:

04010-000-0435	CB 4010 P-43D ABS 2
04010-000-0451	CB: 4010 P-45 ABS: 2
04010-000-0663	CB 4010 P-66C ABS 2
04010-000-0681	CB 4010 P-68,P-68C,P-68D, P70A,P98 & P98A CB 4135 P-3 ABS 1044 CB 4136 P-3 ABS 129
04010-000-0700	CB 4010 P-70 ABS 2
04010-000-0703	CB 4010 P-70C ABS 2
04010-000-0971	CB: 4010 P-97 ABS: 2 REFER TO: 04010-000-0970
04010-000-1020	CB 4010 P-102 ABS 2
04010-000-1112	CB 4010 P-111B ABS 2 (FORMERLY P-67)
04136-000-0052	CB: 4136 P-5, P-13 & P-14 ABS: 129 REFER TO: 04136-000-0050
04136-000-0083	CB 4136 P-8C ABS 129
04167-000-0201	CB 4167-1 P-20B (3.354 AC) & P-69A (0.063 AC) ABS 8 RE: 04167-000-0202
04167-000-0215	CB 4167-1 P-21D (.565 AC) , P-20G(.161AC), P-20H(.566AC), P-20J (.08AC), P-69 (8.252AC), & P-69B (.165A) ABS 8 CR# 2011-24114
04167-101-0010	CB 4167A BLK 1 LOT 1 (IVY SUBD) LABEL# HWC085492 & 2ND MOBILE HOME LABEL# HWC0082230
04167-101-0030	CB 4167A BLK 1 LOT 3 (IVY SUBD)
04167-101-0040	CB 4167A BLK 1 LOT 4 (IVY SUBD)
04167-101-0050	CB 4167A BLK 1 LOT 5 (IVY SUBD)
04167-101-0080	CB 4167A BLK 1 LOT 8 (IVY SUBD)
04167-101-0090	CB 4167A BLK 1 LOT 9 (IVY SUBD)

Future Full Purpose Annexation

The areas subject to this Limited Purpose Annexation will be included within the City's full purpose jurisdiction within three (3) 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.

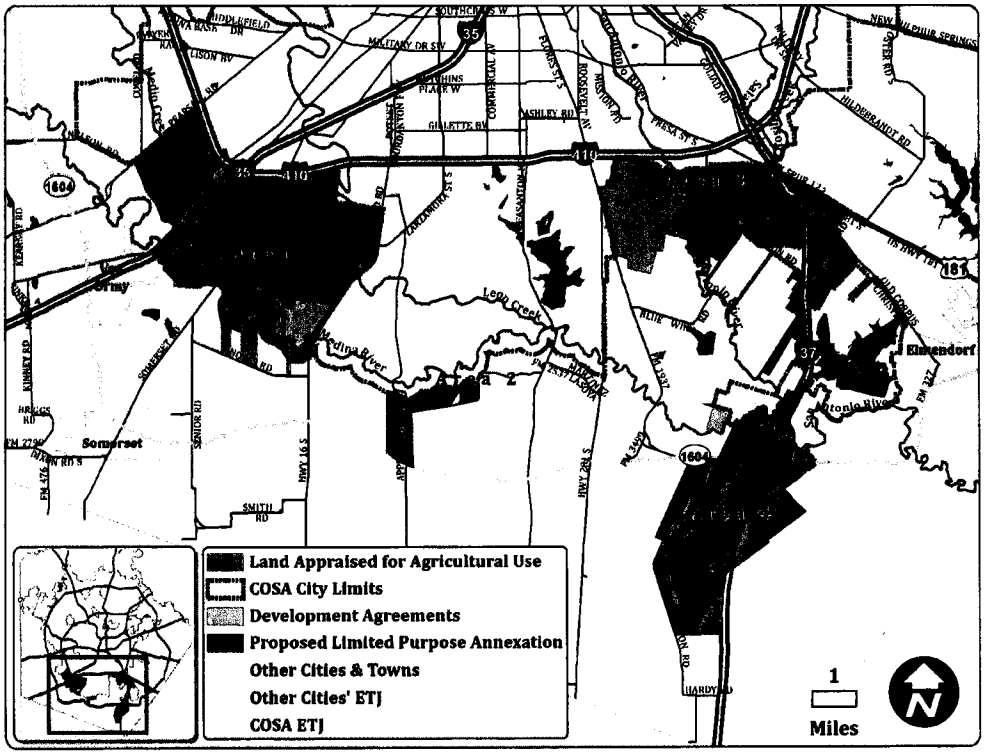
Planning Milestones

State law requires specific steps be completed by the City for each of the three years after an area is annexed for limited purposes leading toward the full-purpose annexation of the areas.

- By the end of the first year, the City must prepare a land use and intensity plan to be a basis for services and capital improvement project (CIP) planning.
- By the end of the second year, the City must include the area in the long-range financial forecast and in the City's program to identify future CIP projects.
- By the end of the third year, the City must include CIP projects intended to serve the area in the adopted CIP program and identify potential sources of funding.

Requirement to Offer a Development Agreement

Pursuant to § 43.035 of the Local Government Code, the City of San Antonio is obligated to offer a Development Agreement to properties appraised for ad valorem tax purposes as agricultural, wildlife management, or timber management. The properties that will be offered a Development Agreement are depicted below.



Map 24: Land Appraised for Agriculture Use

Sector Plan Tiers & Centers
The Sector Plan future land use plans were prepared utilizing the concept of Centers and Tiers which allow for a range of compatible residential and non-residential uses within each Center and Tier. The land use classifications are referred to as "Tiers" or "Centers" to represent the Sector Plan's goals. The Sector Plan establishes "Tiers" that range in density from "Urban" to "Natural Tiers". "Centers" were established in order to locate preferred areas for coordinated investment. These included new Mixed-Use and Regional Centers as well as the incorporation of existing features. The "heavy industrial" land use classification is referred to in the Sector Plan as a "Specialized Center" area. The Civic Center land use classification was expanded to incorporate governmental and quasi-governmental uses, such as the new Texas A&M University - San Antonio campus.

The Major Thoroughfare Plan (MTP) provides policy guidance regarding the location and types of major roadways to be constructed in the future. Currently, the MTP is used to locate major and minor nodes for commercial development and regulate the location of densities in regards to the zoning.

Certain areas, located along IH-37 and Southton Road, have been designated in the Agribusiness Tier. The highest density residential and commercial uses including Regional Centers, Mixed Use Center and General Urban Tiers can be found along highways, major roadways and nodes located at several major intersections. Lower density residential uses are designated in the Country and Rural Estate Tiers near natural areas.

The Planning and Zoning Framework for Properties <u>outside</u> of the Jurisdiction of the CSMA

Pursuant to the spirit of the recommendations in Strategy #6 of the *Effectiveness Study and Economic Strategic Plan for the City South Management Authority*, the City has identified strategically situated economic development opportunity sites that should be studied and recommended for limited purpose annexation. The City has identified areas that enjoy similar potential for economic development and are adjacent to the "5 Most Marketable Nodes" and are logical extensions thereof. Thus, for these properties, the City is proposing annexation for limited purposes as well. These properties will be reviewed and analyzed using an economic development perspective, the effectiveness study and best planning practices in order to develop realistic and acceptable development scenarios. The City will initiate implementation of the potential scenarios via an update to the applicable future land use plan and will rezone affected properties to a zoning district that is in accordance with said plan in concert with the adoption of the Limited Purpose Annexation ordinance.

The Planning and Zoning Framework for Properties Currently <u>within</u> the Jurisdiction of the CSMA

The City has identified representatives from key organizations and bodies to assist with the review of the existing zoning and future land use plan (Effectiveness Study Implementation Task Force). A representative from:

1. City South Management Authority Board / resident
2. City Planning Commission
3. City Zoning Commission
4. Texas A&M – San Antonio

5. Real Estate Council; and,
6. Policy Administrator of the City of San Antonio's Development Services Department

Those areas that are proposed to be annexed via limited purposes will be reviewed and analyzed using an economic development perspective, as recommended in the effectiveness study and best planning practices. The City is adopting zoning in the subject area in accordance with the comprehensive plan that was adopted by the City Council pursuant to ordinance number 2010-09-160811 (and as amended) and in accordance with the provisions of the Defense Adjustment Management Authority, Texas Local Government Code, Subchapter O. Zoning in the subject area shall be the same as previously adopted by the CSMA. Said zoning is depicted in the *Current Zoning* maps, located in the Planning Study section of this document, for limited purpose annexation Study Area #1 - #4.

The City will initiate the rezoning via an update to the future land use plan 90 days following the effective date of the limited purpose annexation and will rezone affected properties to a zoning district that is in accordance with said plan, as required in the Local Government Code. The land use plan updates and zoning changes will be informed by input from the aforementioned implementation task force. Further, the task force will review the development standards in the flex-zoning districts and make recommendations for Unified Development Code amendments in order to improve the effectiveness of these zoning districts.

Development Regulations Following Limited Purpose Annexation

The following planning, zoning, health and safety ordinances will be enforced in the areas upon completion of annexation 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, zoning regulations and all subsequent amendments, replacement ordinances, and related technical and illustrative manuals to these ordinances.

<u>Notwithstanding the Municipal Code references above, the following exceptions shall be established if this area is annexed for limited purposes:</u>

- 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.
- Limited sales and possession of fireworks is permitted in areas annexed for limited purposes in accordance with Ordinance No. 97683.
- Fees will be waived for property owners seeking to register existing uses as non-conforming rights.

Exhibit "C"

REGULATORY PLAN

This section constitutes the regulatory plan, prepared in accordance with §43.123 (d) of the Local Government Code. The regulatory plan identifies:

- Land use and Development regulations
- Future Full Purpose Annexation

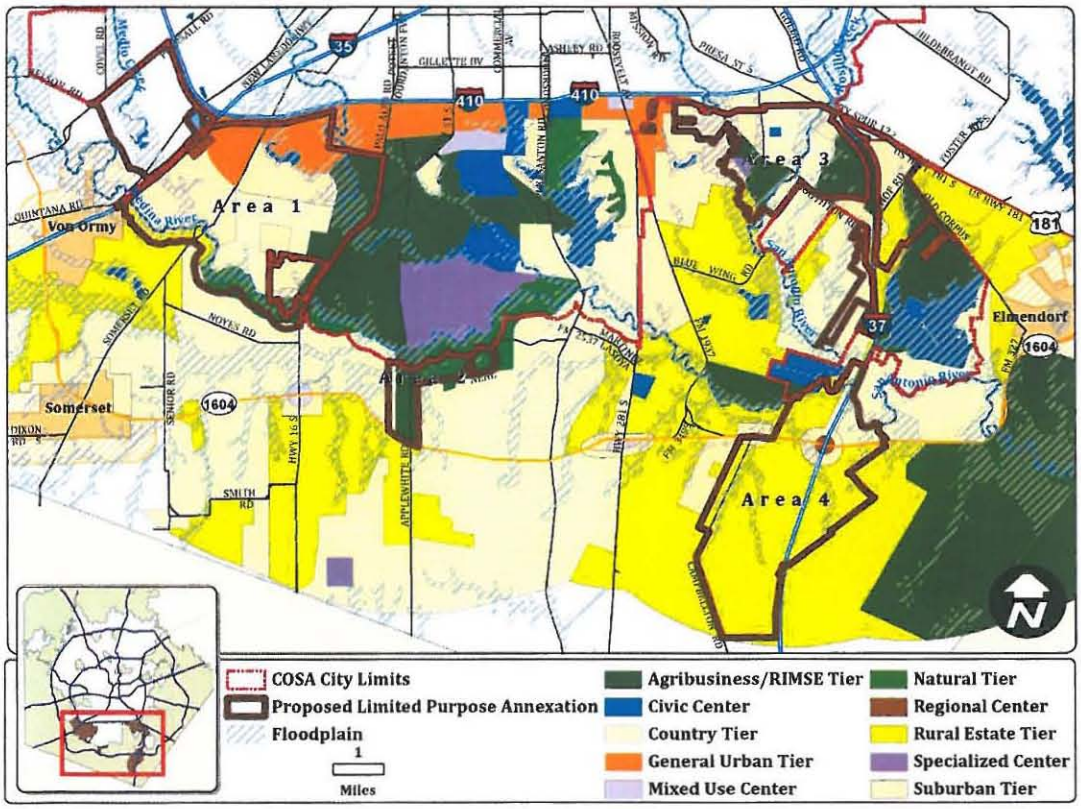
Land Use

Existing Land Use

The current land uses in the study areas are generally rural, farm, ranch, and agricultural with some limited industrial uses. There currently exists sporadic commercial uses along the major arterial roadways. A commercial use and strip center retail use has been erected along Southwest Loop 410 at the northern edge of Areas 1 and 2. An energy corridor is also developing along IH-37, which is a gateway to the Eagle/Ford shale formation to the south and southwest of Bexar County. Finally, along the Medina River at the southern end of City South there is a conservation and preservation area.

Current Sector Plan Land Use Classifications

The study areas are subject to the United Southwest Communities Plan, the Heritage South Sector and the West/Southwest Sector Plans. The Sector plans are long-range guides for the future growth, conservation and redevelopment of all the physical aspect of the City on a regional level. The Sector Plan currently provides the overall vision and policy guidance for regulations in this area, including zoning policy.



Map 1: Heritage South Sector Land Use Plan

Disclaimers

The City has made a good-faith effort 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 Local Government Code, 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. Further, any and all exhibits contained herein are intended for reference purposes only and shall not be construed to be final. All exhibits shall be deemed "final" upon adoption of this draft Limited Purpose Annexation proposal.

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 City of 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.

Excerpts from the Unified Development Code

35-703 Newly Annexed Territory.

Nonconforming rights may be granted to newly annexed areas in accordance with the following provisions and upon payment of the fees specified in Appendix "C". All applications for nonconforming rights must be filed within sixty (60) days of the effective date of annexation.

(a) **Incomplete construction**. Construction may be completed on any structure legally under construction upon annexation provided:

(1) The owner or his designated representative applies to the director of in Appendix "C for a permit to authorize further work on the structure stating the proposed use of the structure and attaching thereto the plans and specifications relating to the construction; and

(2) The construction is completed within two (2) years of the effective date of annexation. Action on the permits shall be taken by the director of development services within fifteen (15) days from the date of application. The director shall deny the permit if he finds that the construction will not meet the requirements of the building, fire protection, or minimum housing codes and other applicable ordinances and codes of the city. If the permit is refused, the construction work shall cease until necessary corrections are made.

(b) Proposed construction. Proposed construction may be completed upon a finding by the zoning commission that sufficient evidence exists that planning for the proposed use was in progress prior to annexation, as prescribed by Appendix "B" to this chapter. Within fifteen (15) days from the date of such filing, the director shall present the evidence to the zoning commission for their determination, unless the applicant agrees to a longer period. The applicant shall have twelve (12) months from the date of the zoning commission's favorable determination to secure all building permits. After that time, the nonconforming rights shall expire.

(c) **Master Development plans.** Newly annexed areas may be entitled to nonconforming rights for a master development plan upon favorable consideration by the zoning commission. The property owner must submit an application as prescribed by Appendix "B" of this chapter. The zoning commission shall conduct a public hearing on the nonconforming rights master development plan after giving notice to the owners of property within two hundred (200) feet in the manner provided in section 35-403 for a rezoning. The purpose of the public hearing

shall be to ascertain (1) the extent to which development of the master development plan had progressed prior to annexation and (2) the extent to which the master plan complies with the policies and objectives of the city's Land Use Plan. If the zoning commission approves the master development plan, construction in conformance with the plan must begin within one (1) year, with all portions of the plan either completed or under construction within five (5) years from the date of annexation. After that time, the nonconforming rights shall expire.

(Ord. No. 98697 §§ 4 and 6)(Ord. No. 100126)

Limited Purpose Annexation of South San Antonio Areas and the Dissolution of City South Management Authority

City Council A Session

January 9, 2014

DPCD

City Council Agenda Items #4 - #7
[13 individual items]

#4: Limited Purpose Annexation Ordinance, and Adoption of Regulatory Plan

#5: Development Agreements

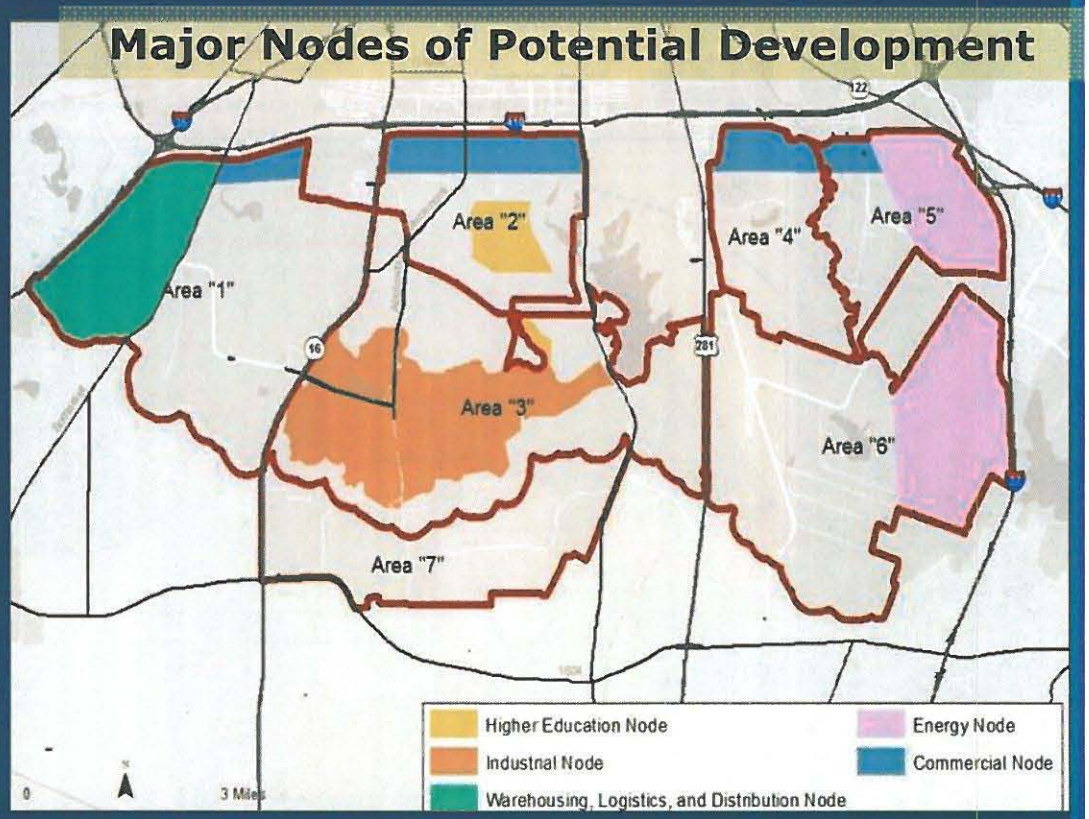
#6: Land Use Plan and Zoning Plan Amendments

#7: Dissolution of CSMA

*January 19, 2014: Effective date of Limited Purpose Annexation

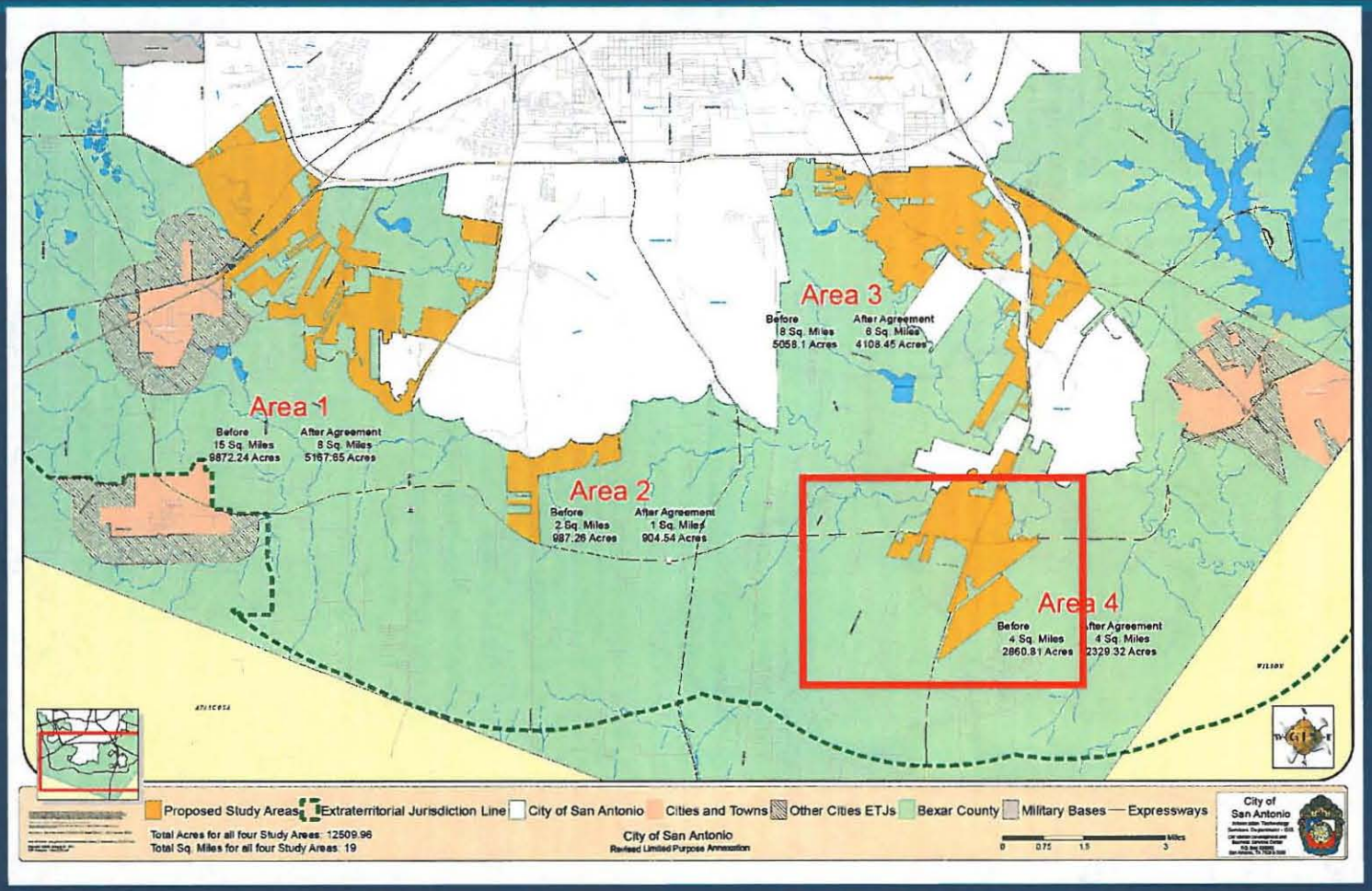
Background: 2012 CSMA Effectiveness Study

- 2011 State law required study of City South Management Authority effectiveness
- CSMA Effectiveness Study (completed 2012) recommended:
  - Dissolve Management Authority
  - Annex major nodes of current/potential economic development
  - Modify land use and zoning to encourage economic development
- Study adopted by the CSMA Board and City Council in Dec. 2012



- After CSMA dissolution, properties located within CSMA jurisdiction will revert to unincorporated Bexar County and the City's ETJ without land use controls

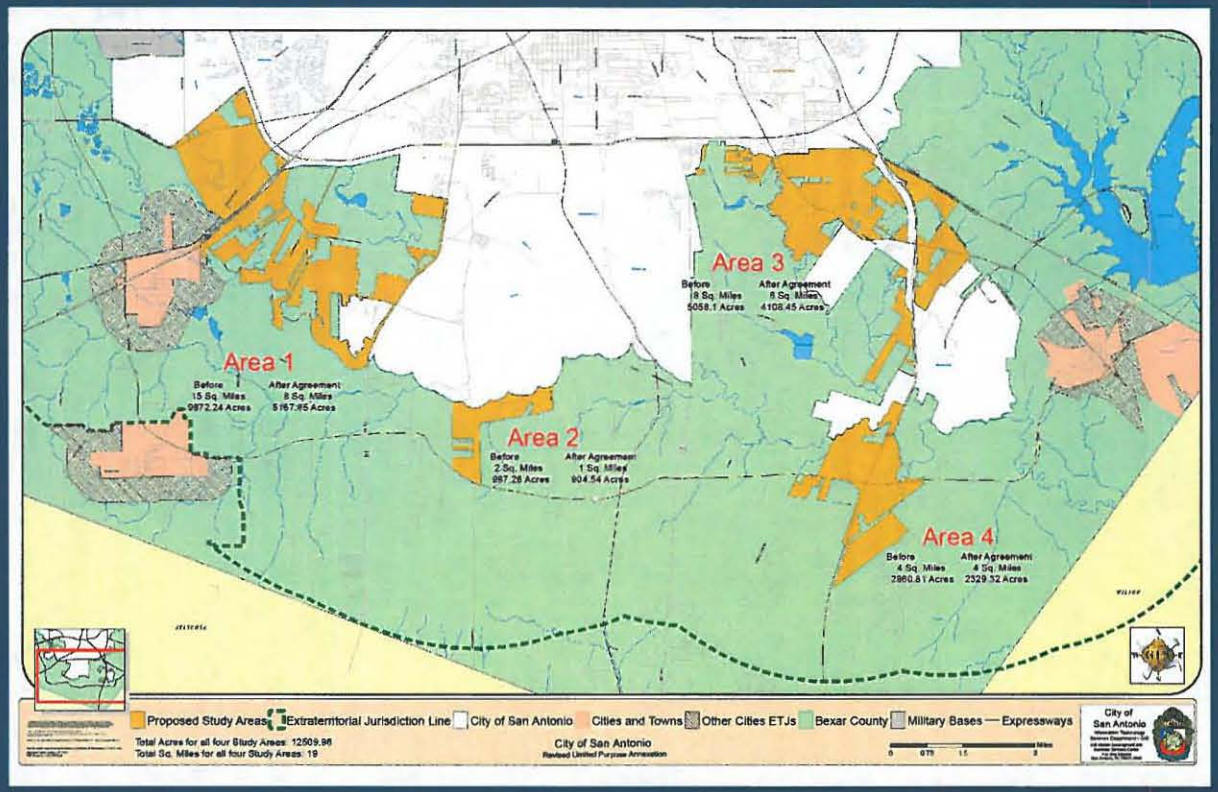
Revised Area 4 Recommendation



- Cost Analysis reflect 3rd fire station would be warranted
- Consider public concerns regarding need for more time to consider impacts
- "Neighborhood" will be re-considered as part of 10-year annexation plan

Amended Limited Purpose Annexation Area

- **19** square miles
  - Amended COSA municipal boundary will be **491** square miles
- **1,310** parcels of land
- Approx. **1,200** additional residents
- Development Agreements
  - **150** signed
  - Consent to annex in 10-years could potentially add an additional **10** square miles (approx. **6,700** acres)



- Annexing approximately:
  - 140 commercial parcels*
  - 14 industrial parcels*

*according to the Bexar Appraisal District

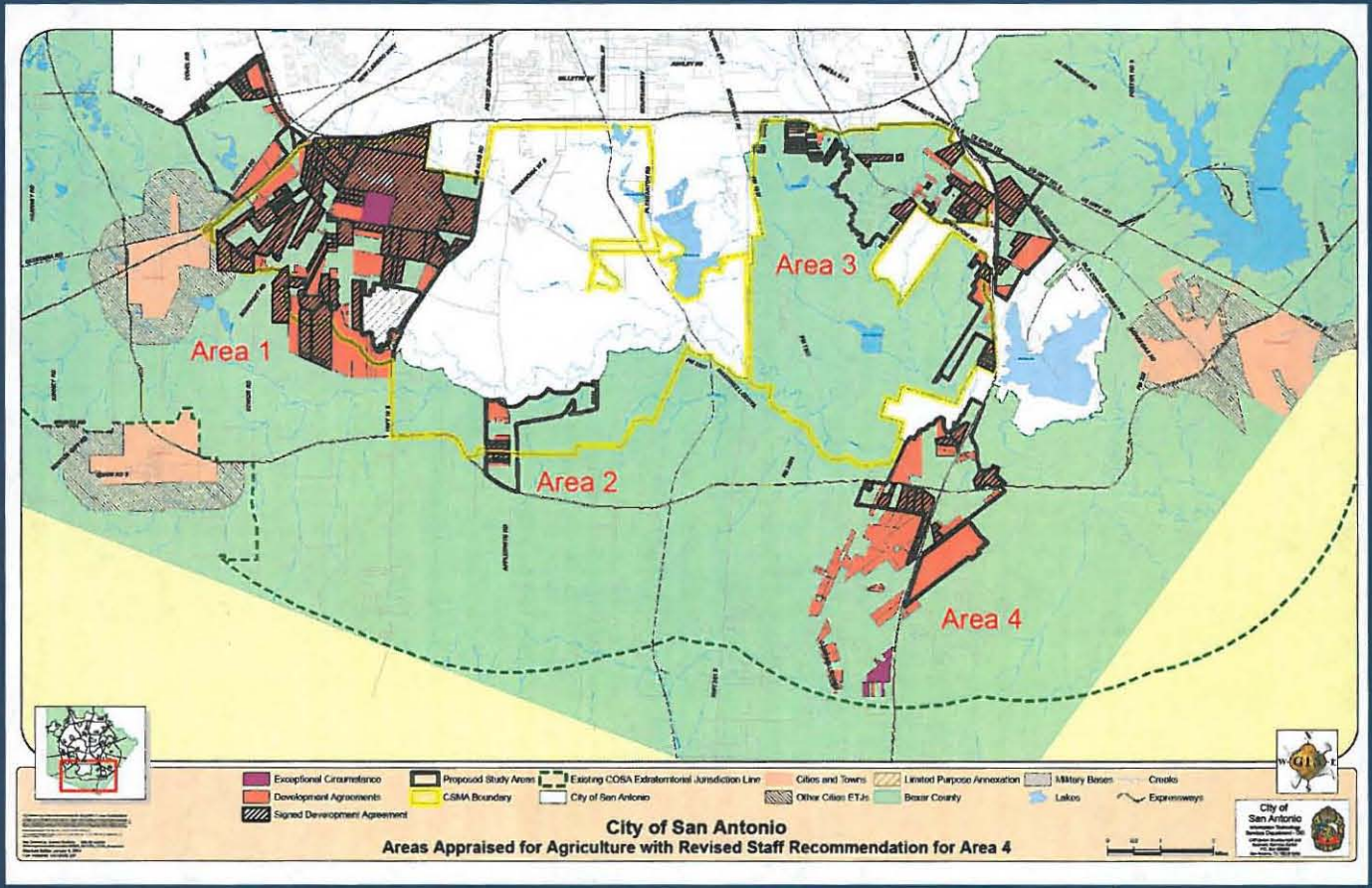
Proposed Regulatory Plan Amendment

- **State law requires adoption of "Regulatory Plan"**
  - Identifies City Codes that will be applied to area
  - Includes date for Full Purposes Annexation within 3 years
    - (A *development agreement with land owners may extend Limited Purpose Annexation*)
  - Excludes Storm Water Utility Fees and Services
    - Storm Water Regional Fee-in-Lieu-of Detention (FILO) will continue to apply to any new increase of impervious cover with development projects within annexation areas
  - **Extends time by 180 days to adhere to Code Compliance**
- **Staff Recommendation:** Amend Regulatory Plan to extend code compliance deadline and remove the following development fees
  - ***Water and Sewers (****Chapter 34 -1111 of Article 7 and Section 34-235 of Division 4 Rates and Charges of Chapter 34 Water and Sewers of the City Code)*
  - County currently provides service and will continue to during 3-year LPA

Development Agreements in Lieu of Annexation

- State laws requires City to offer a **Development (*non-annexation*) Agreement** to areas appraised (*ad valorem tax purposes*) as:
  - agricultural, wildlife management, or timber management
- City may annex the property, if land owner declines or is non-responsive
- If land owner consents to the agreement, City shall exclude property from Limited Purpose Annexation
- Agreement stays in places for 10-year term or if property is developed
- Owner's consent to voluntary annexation at end of term
- City has option to annex at the end of agreement term
- Staff recommends acceptance of Development Agreement as detailed in the following slides

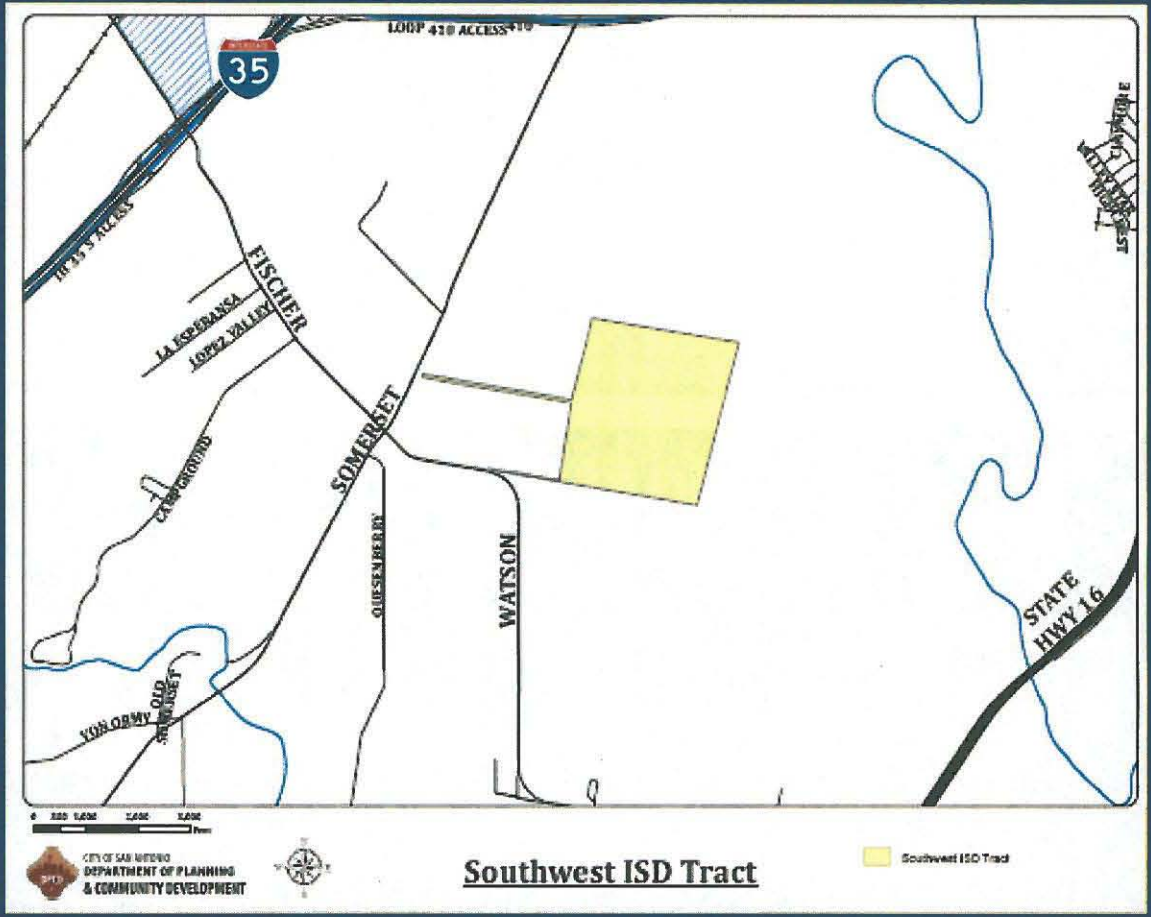
Development Agreements



- 150 Signed Development Agreements

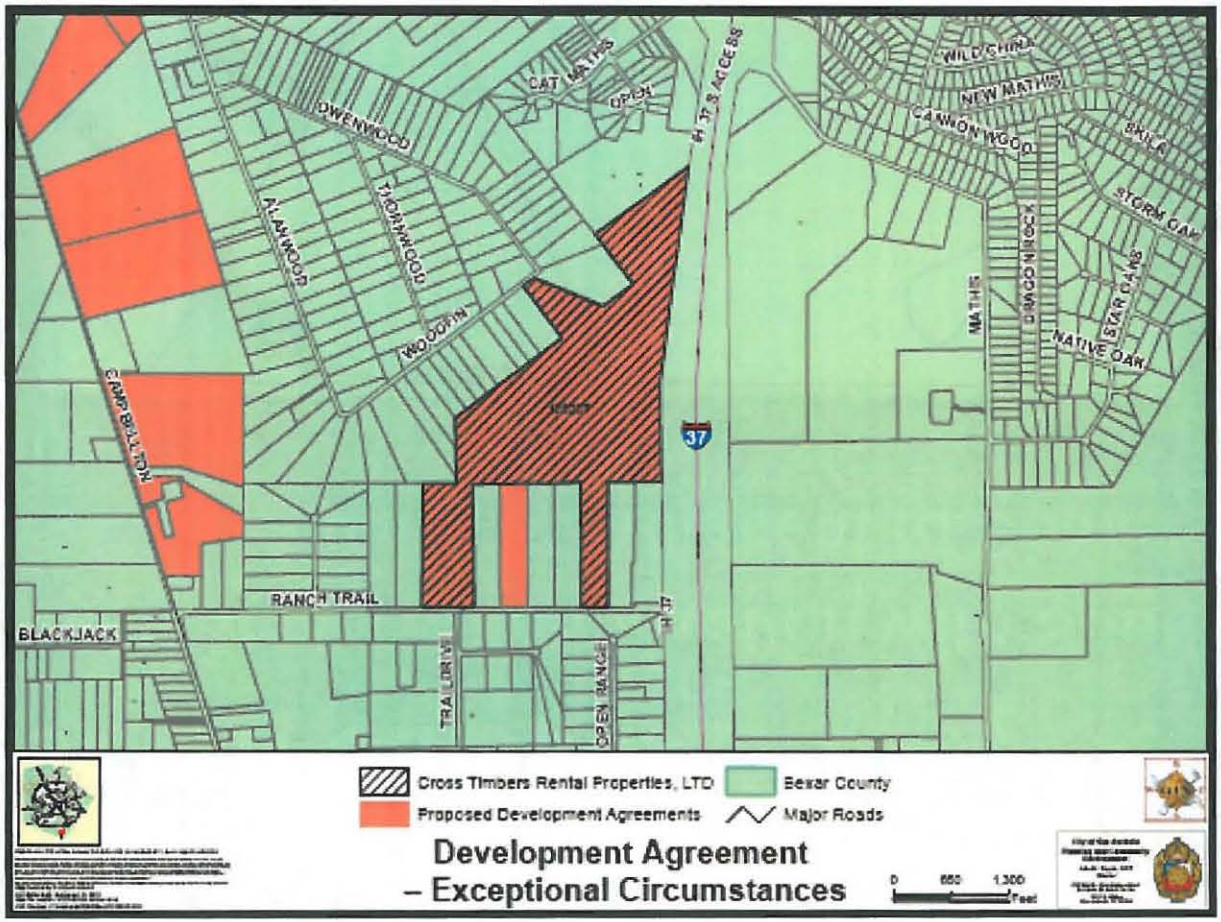
Development Agreement with Southwest ISD Campus

- 3-year agreement in lieu of annexation with Southwest ISD
- 203.7962 acres on Howard St. adjacent to Somerset and Watson Roads



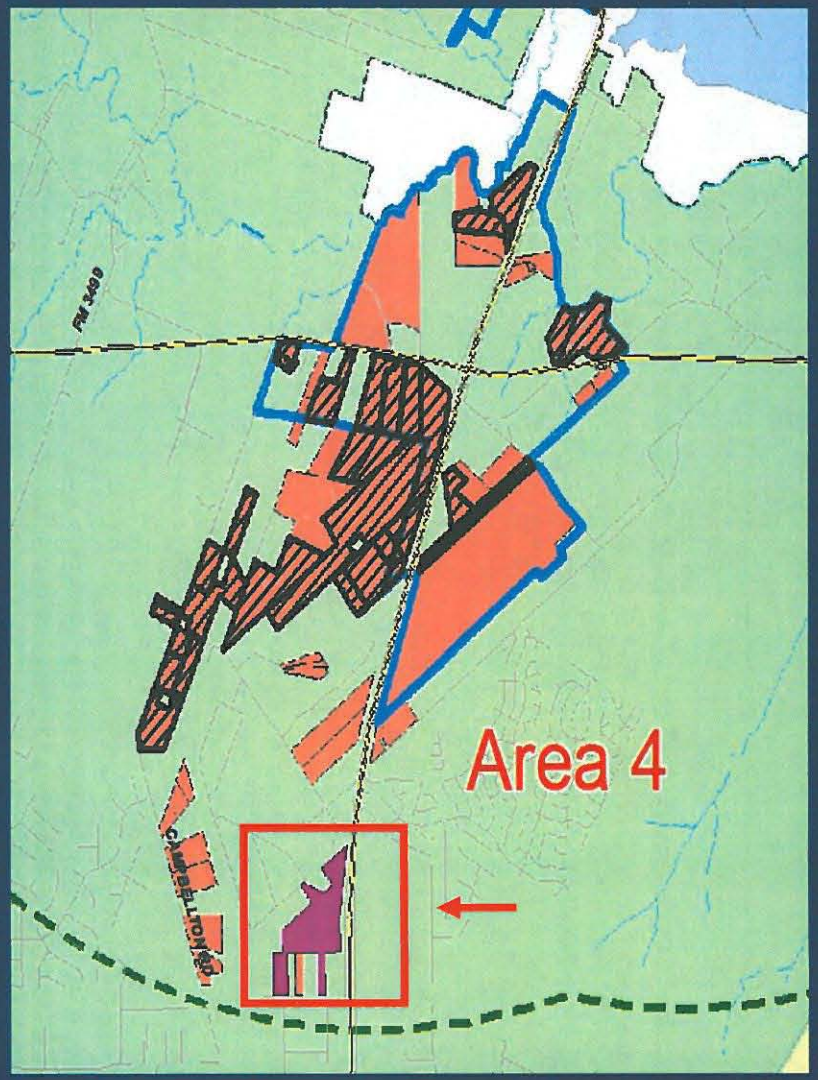
Development Agreement for Exceptional Circumstances

- Cross Timbers Rental Properties, LTD, located on 3015 Ranch Trail Road, requests ability to construct 2 residences on the 137 acre property



Development Agreement for Exceptional Circumstances (cont.)

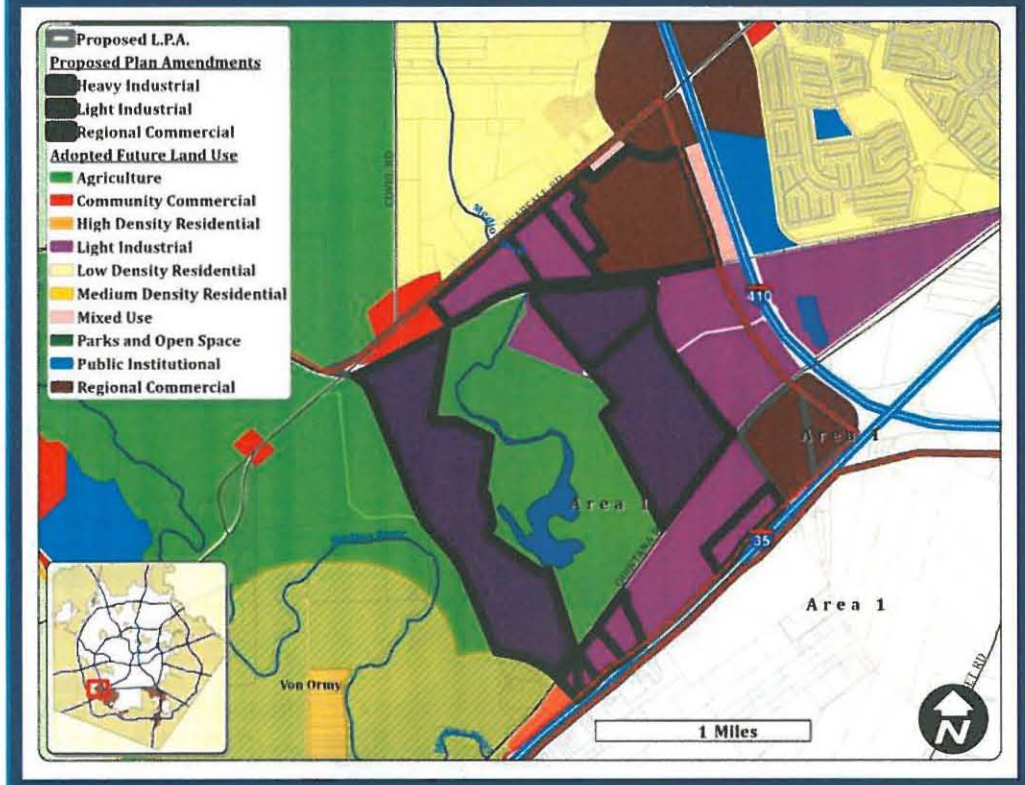
- Reserves City's ability to extend its boundaries beyond development agreement as areas adjacent to these agreements are considered to be contiguous to the city
- Keeps City's option to annex by request providing it is economically viable
- May extend City's Extraterritorial Jurisdiction into Eagle Ford Shale



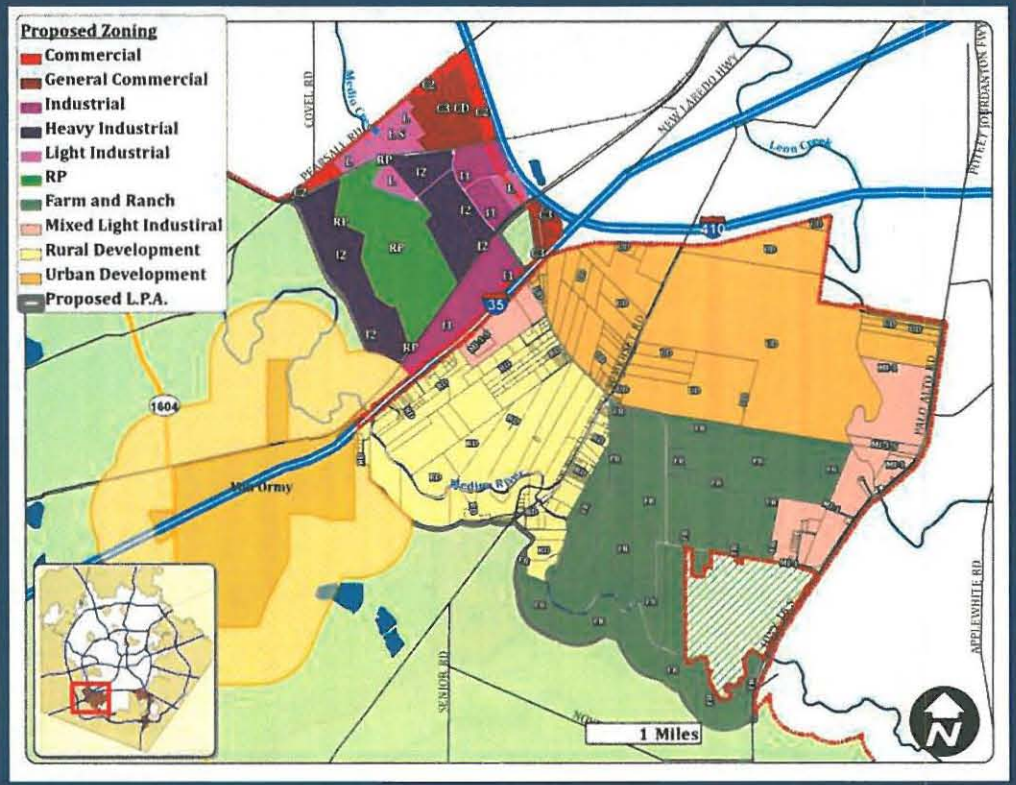
CSMA Dissolution

- CSMA board dissolved
- Zoning and land use controls removed
- State law requires 2 public hearings
  - Held on December 4 & 5, 2013
- Effective date of dissolution is January 19, 2014

Area #1 Proposed Land Use & Zoning

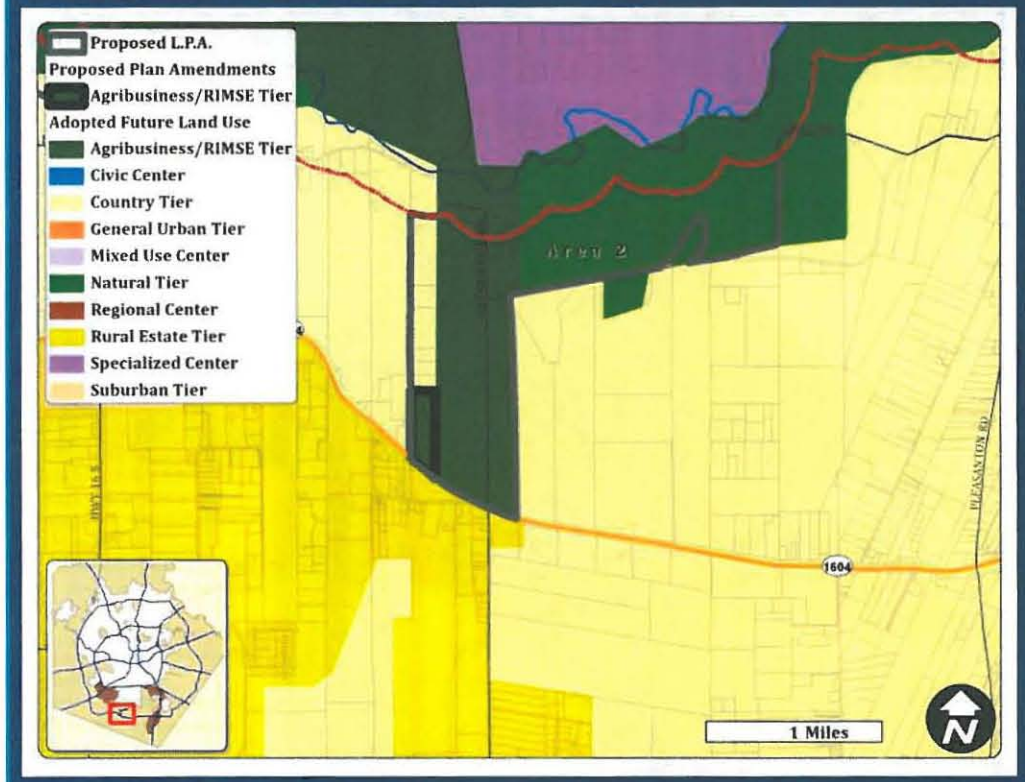


Plan Amendments

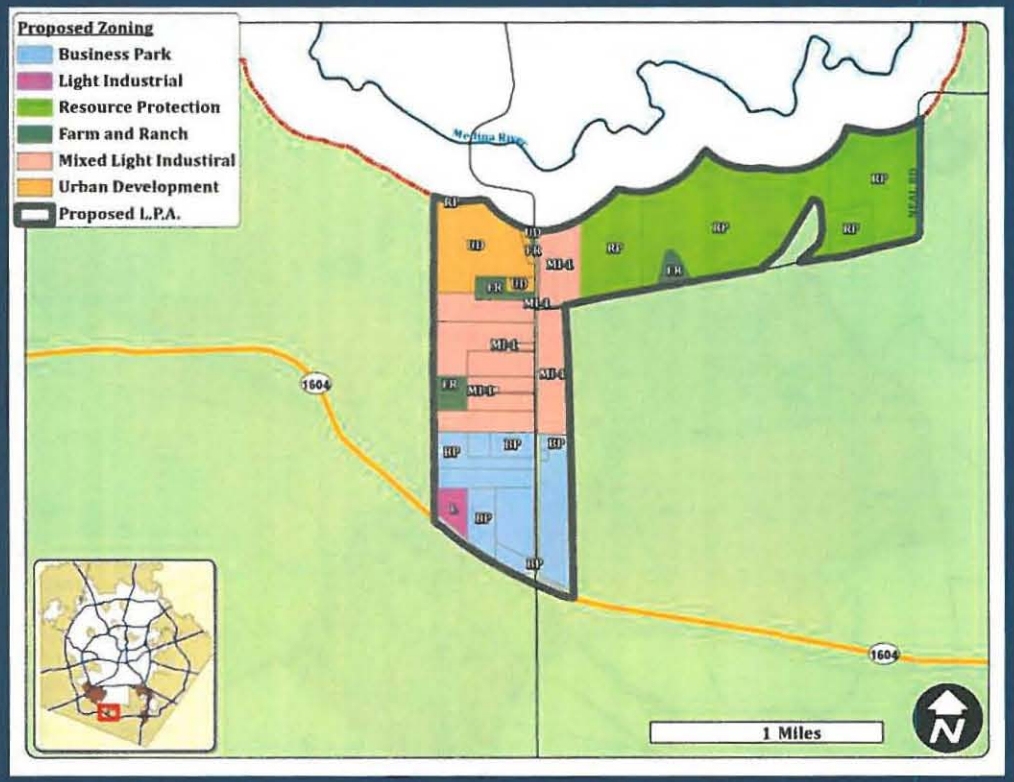


Zoning Plan

Area #2 Proposed Land Use & Zoning

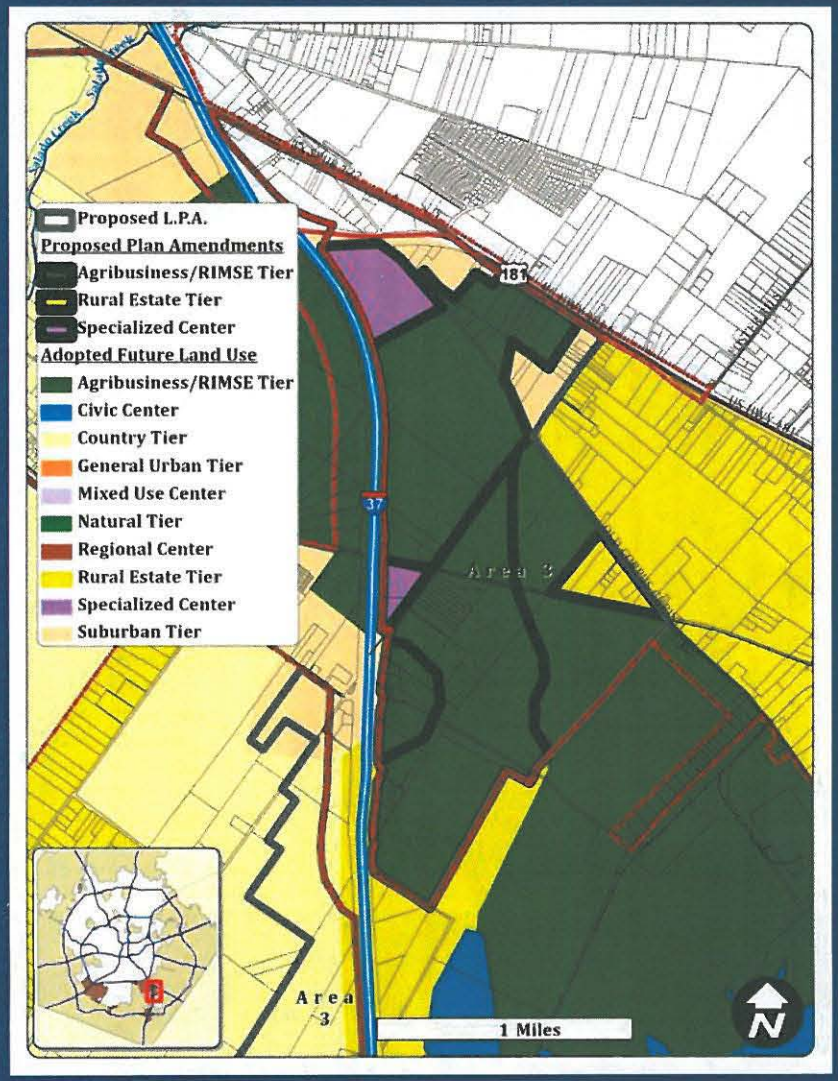


Plan Amendments

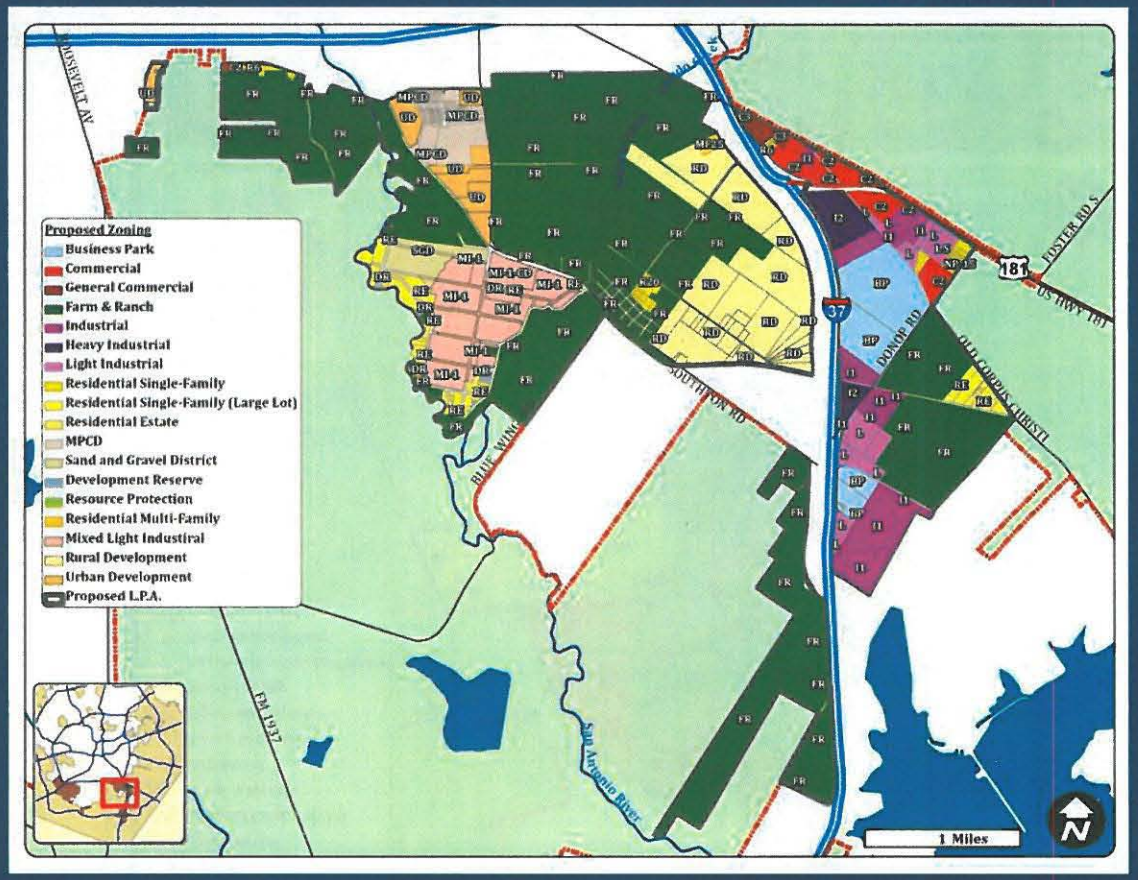


Zoning Plan

Area #3 Proposed Land Use & Zoning

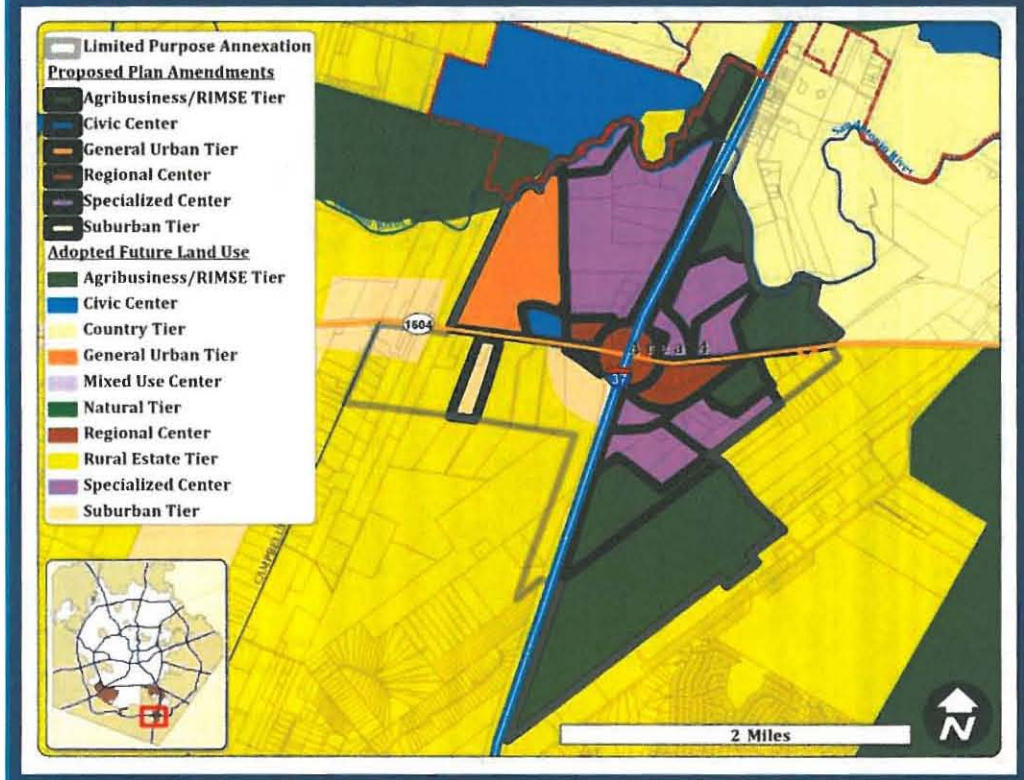


Plan Amendments

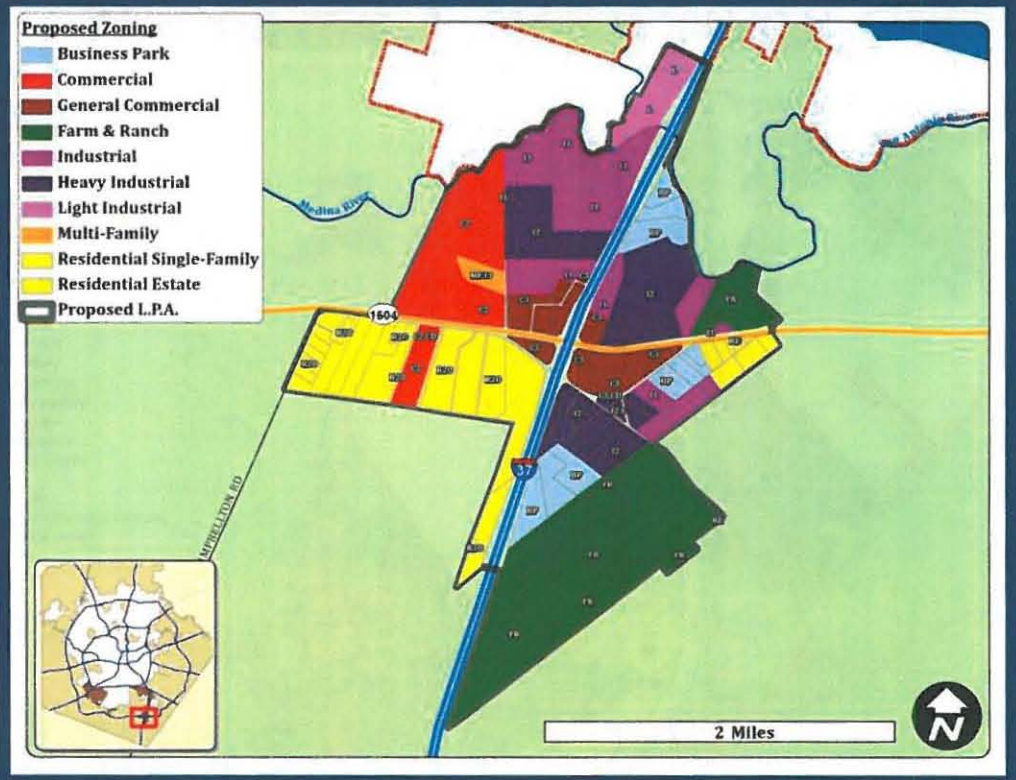


Zoning Plan

Area #4 Proposed Land Use & Zoning



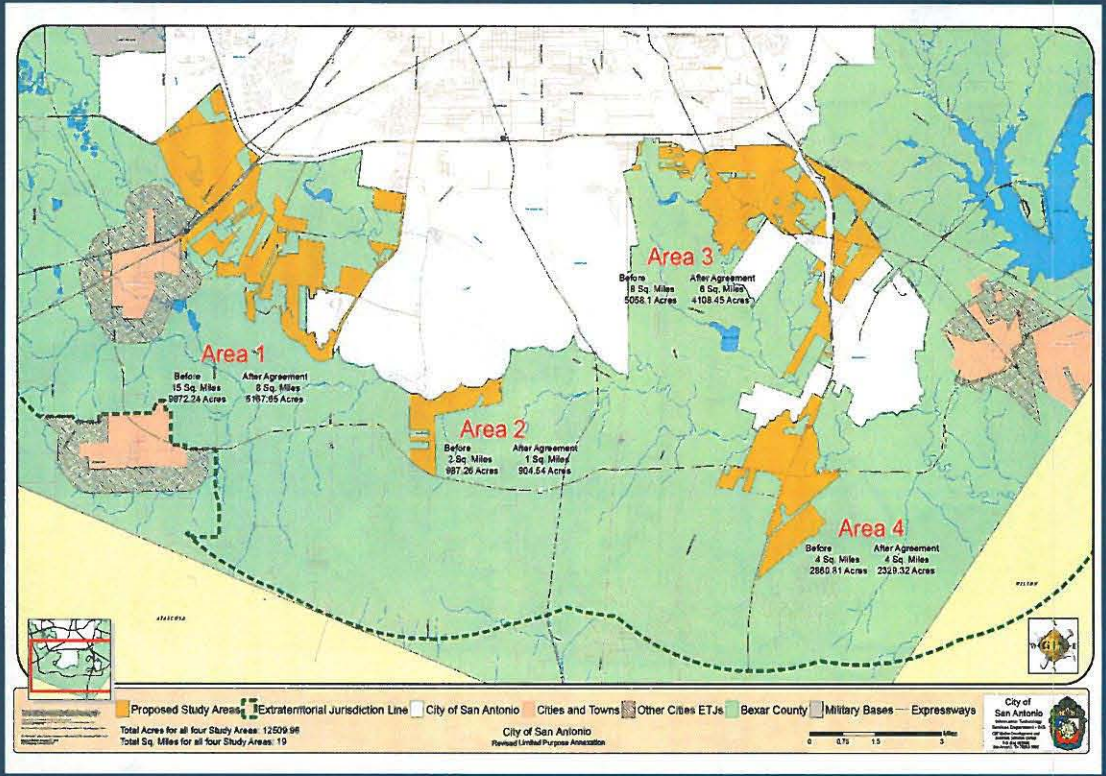
Plan Amendments



Zoning Plan

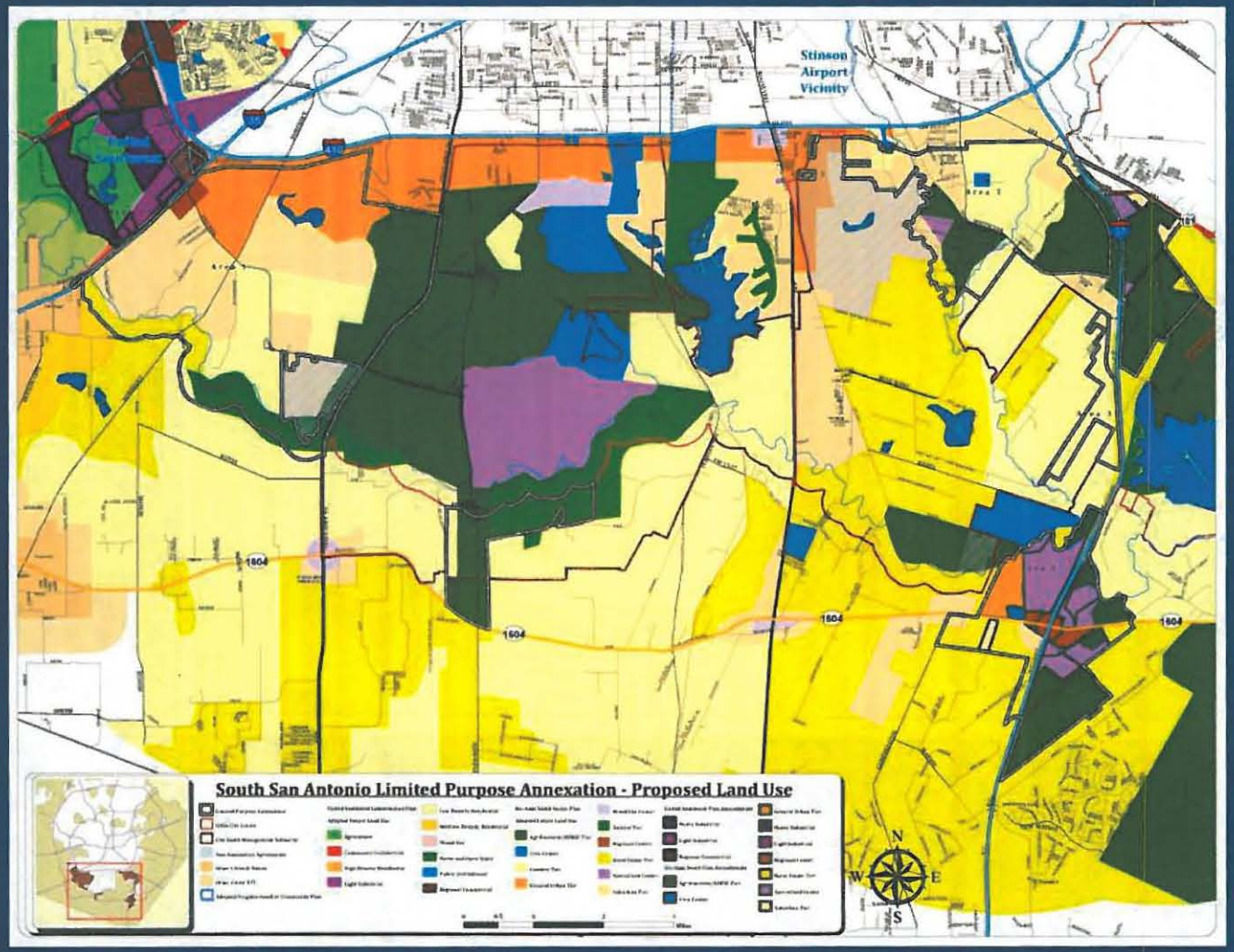
Staff Recommendation

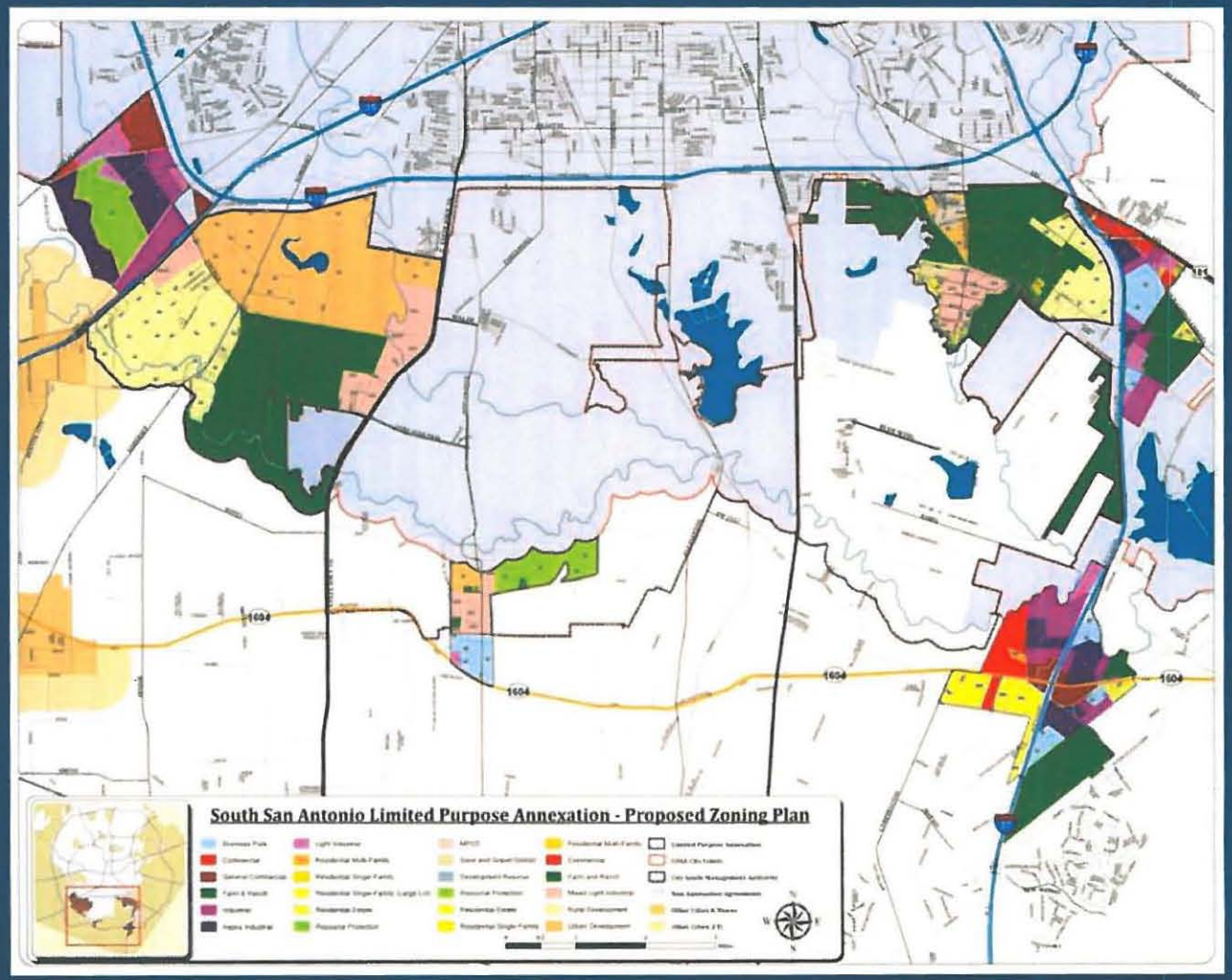
- **Approval / Adoption of:**
  - Regulatory Plan w/ proposed fee amendment
  - Development Agreements
  - LPA of Areas #1, #2, #3 and Area #4, as revised
    - ***Save and except properties subject to development agreements***
  - Dissolution of the City South Management Authority



Staff Recommendation for Land Use and Zoning

- **Approval of:**
  - Amendments to the *United Southwest Communities Plan* and the *Heritage South Sector Plan*



Staff Recommendation for Land Use and Zoning (cont.)

- Approval of:
  - Zoning changes – ***save and except properties subject to development agreements***