

**CITY OF SAN ANTONIO
PLANNING DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

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

SUBJECT: An Ordinance releasing approximately 67 acres in the Wild Wind Subdivision from the City of San Antonio Extraterritorial Jurisdiction (ETJ) as petitioned by the City of Garden Ridge, in Comal County.

DATE: June 2, 2005

SUMMARY AND RECOMMENDATION

This is a request for consideration of an ordinance to release approximately 67 acres in the Wild Wind Subdivision from the City of San Antonio's Extraterritorial Jurisdiction (ETJ) as petitioned by the City of Garden Ridge in Comal County.

BACKGROUND INFORMATION

The City of Garden Ridge petitioned the City of San Antonio to release approximately 67 acres in the Wild Wind subdivision from the ETJ. The Wild Wind subdivision is located in Comal County near Nacogdoches Road and Bat Cave Road, north of Loop 1604. Attached is a development plan that shows the lots proposed to be released from the City of San Antonio ETJ. Also attached is a location map of the property for release.

Approximately 86.42 acres (66 lots) of the Wild Wind subdivision are currently in the City of Garden Ridge. Approximately 67.60 acres (63 lots) of this subdivision are in the City of San Antonio ETJ. The City of Garden Ridge is requesting this release to provide water service to the section of the subdivision currently in the San Antonio ETJ.

POLICY ANALYSIS

One of City's annexation goals is to "Promote orderly growth and provision of municipal services." However, the property to be released is in Comal County and not adjacent to San Antonio's City Limits. Also, the proposed release area is within the SAWS service area and is 3.5 miles from the nearest connection. The cost to extend SAWS service is a minimum of \$1.33 million. Access to the development is through the City of Garden Ridge.

A second annexation goal is to "Enhance the City's fiscal position." The City cannot annex this area as it is not contiguous to the city limits, therefore, there is no revenue loss to the City by taking action to release this property from the ETJ.

A final annexation goal is to "Preserve the integrity of the City and its extraterritorial jurisdiction." Wild Wind subdivision is subject to platting in Comal County as it contains tracts greater than 0.4 acres. This is based on a City-County inter-local agreement with Comal County regarding platting in the City of San Antonio's extraterritorial jurisdiction. Additionally, the City of Garden Ridge has adequate land use controls to ensure orderly development of this site.

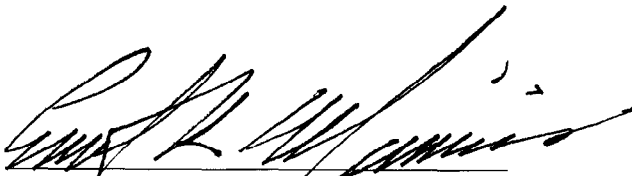
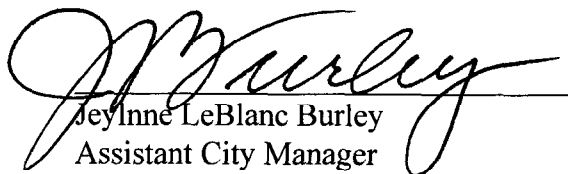
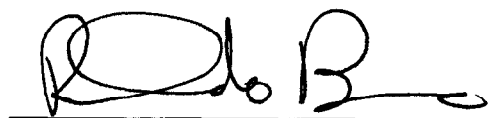
FISCAL IMPACT

No revenue loss by the City of San Antonio.

COORDINATION

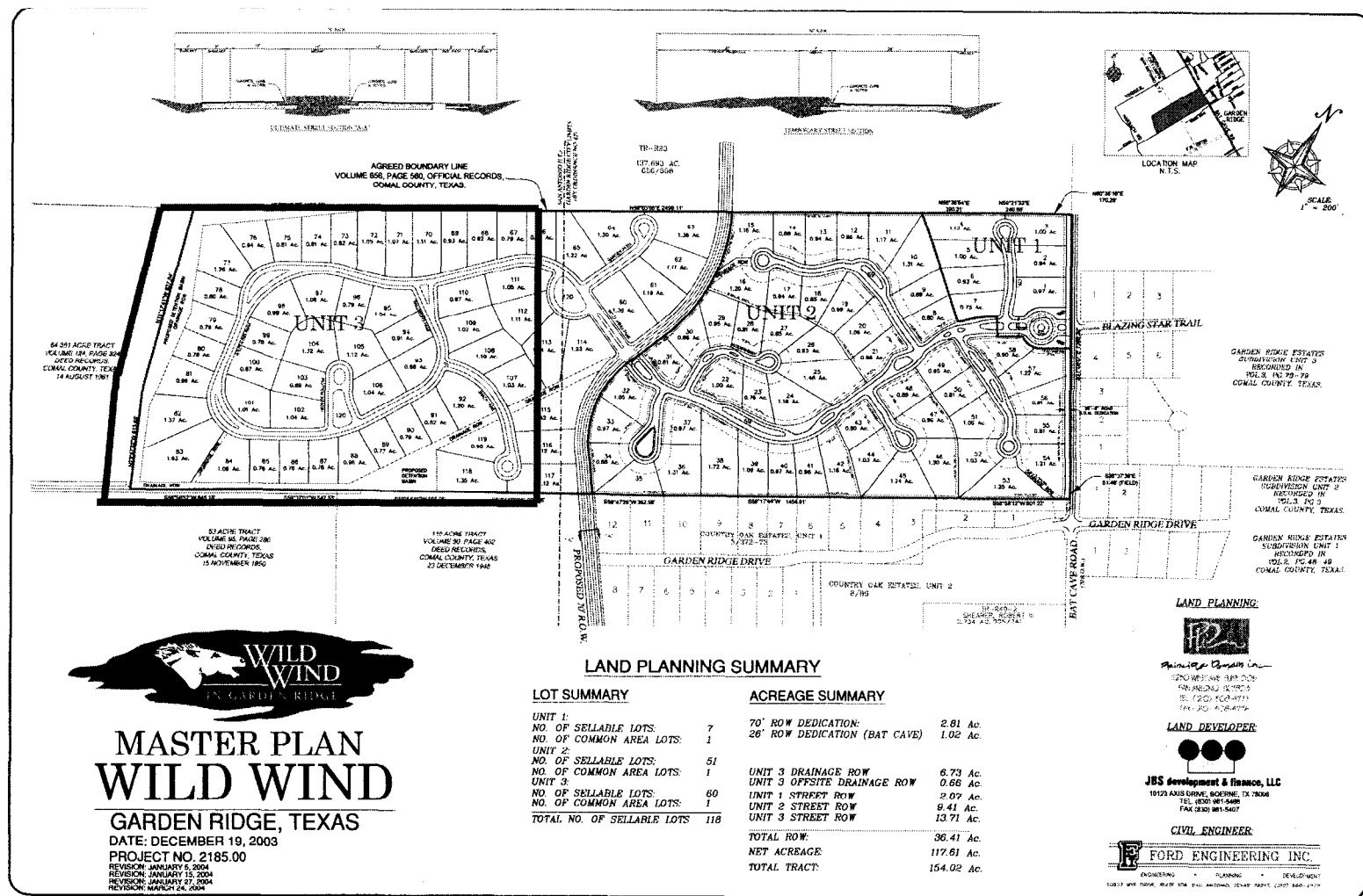
This item was coordinated with Fire, Police, Public Works, Code Compliance, and Development Services Departments and SAWS.

The City Council Urban Affairs Committee reviewed this item on April 19, 2005, and the Committee recommended it move forward for consideration. Planning Commission reviewed this item on May 11, 2005 and recommended approval.


Emil R. Moncivais
Director, Planning Department
JeyInne LeBlanc Burley
Assistant City Manager
J. Rolando Bono
Interim City Manager

City Of Garden Ridge Request To Release Approximately 67 Acres
From San Antonio ETJ
Wild Wind Development Plan

May 26, 2005



May 26, 2005



ORDINANCE

RELEASING APPROXIMATELY 67 ACRES IN THE WILD WIND SUBDIVISION FROM THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF SAN ANTONIO AS PETITIONED BY THE CITY OF GARDEN RIDGE, IN COMAL COUNTY.

* * * * *

WHEREAS, the City of Garden Ridge has requested that approximately 67 acres in the Wild Wind Subdivision, in Comal County, be released from the Extraterritorial Jurisdiction (ETJ) of the City of San Antonio; and

WHEREAS, the property to be released is in Comal County and not adjacent to San Antonio's City Limits, and

WHEREAS, according to a City-County inter-local agreement with Comal County regarding platting in the City of San Antonio's extraterritorial jurisdiction, Wild Wind subdivision is subject to platting in Comal County as it contains tracts greater than 0.4 acres; and

WHEREAS, the proposed release area is within the SAWS service area and is 3.5 miles from the nearest connection; and

WHEREAS, the City of Garden Ridge is requesting this release to provide water service to the section of the subdivision currently in the San Antonio ETJ; and

WHEREAS, on April 19, 2005, the City of San Antonio City Council Urban Affairs Committee reviewed this proposed ETJ release and recommended it move forward for consideration; and

WHEREAS, on May 11, 2005, the Planning Commission of the City of San Antonio has considered the proposed release of the property from the ETJ; **NOW THEREFORE:**

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

SECTION 1. The portion of Wild Wind Subdivision, Comal County, Texas ("Property") consisting of approximately 67 acres, that is more particularly described in **Exhibit A**, Map and **Exhibit B**, Field Notes for a 67.603 Acre Tract, attached hereto and incorporated herein for all purposes, is released from the Extraterritorial Jurisdiction of the City of San Antonio.

SECTION 2. This ordinance shall take effect on June 5, 2005.

PASSED AND APPROVED THIS 26th DAY OF MAY, 2005.

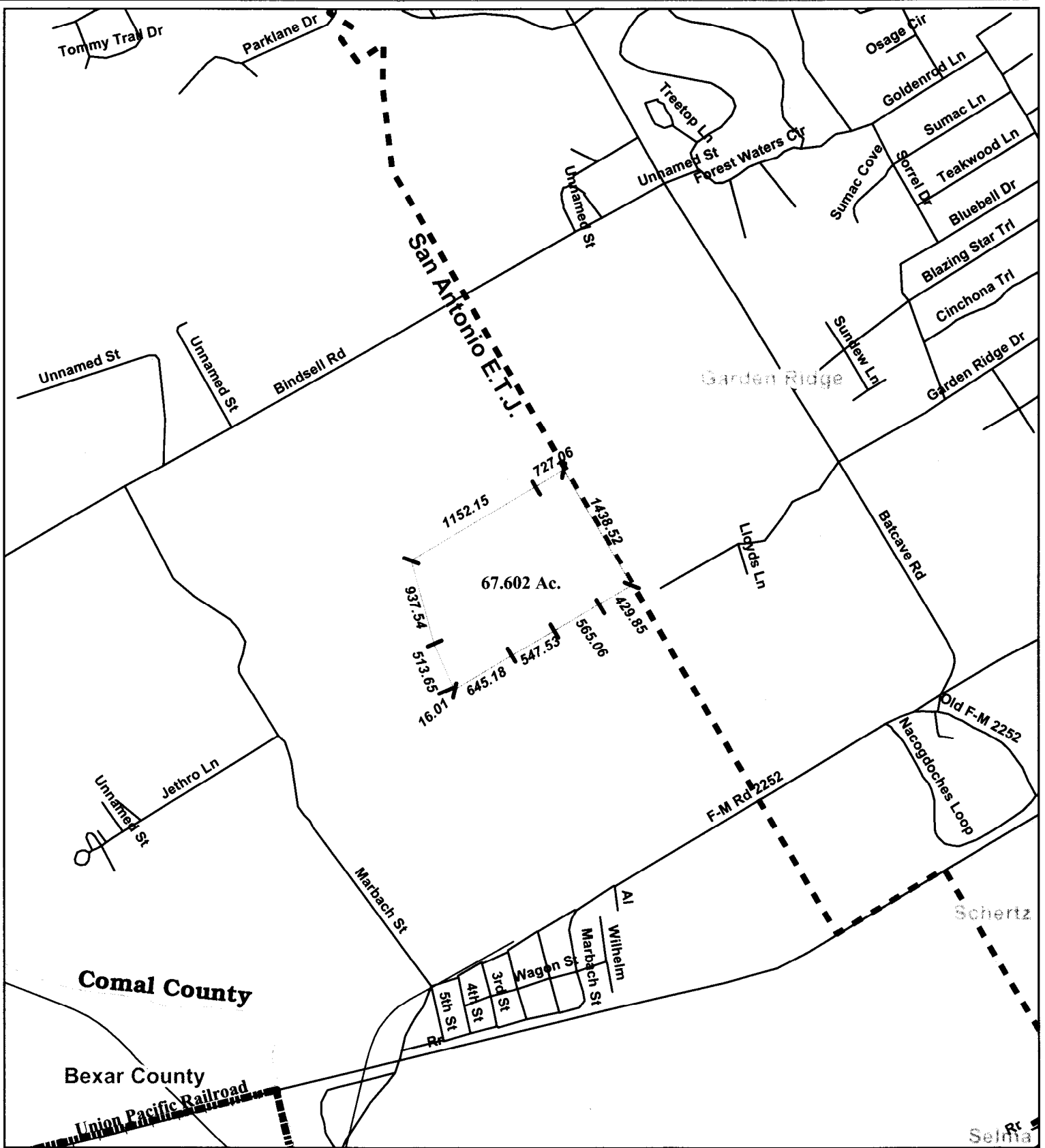
MAYOR

Attest:

City Clerk

Approved as to Form: _____

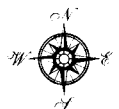
City Attorney



----- City of San Antonio
 ----- San Antonio ETJ

Cities and Towns

Bexar County



Data Source: City of San Antonio Enterprise GIS, Bexar Metro 911, Bexar Appraisal District

"This Geographic Information System Product, received from The City of San Antonio is provided 'as is' without warranty of any kind, and the City of San Antonio expressly disclaims all expressed and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The City of San Antonio does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the City of San Antonio in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the City of San Antonio is solely assumed by the recipient."

Please contact the responsible City of San Antonio Department for specific determinations.

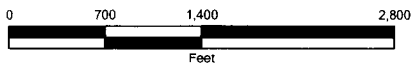
Map Created by: C.B. Barrientez, Jr

Map Creation Date: May 5, 2005

Map file location: C:/Arcview/Annexation/67.602 Ac-ETJ.mxd

PDF Filename: C:/Arcview/PDF/2005/May/0505GC06.pdf

ETJ Release Requested by
 City of Garden Ridge 5/26/05



**City of San Antonio
 Planning Department**

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

Development Business
 Service Center
 1901 S. Alamo
 San Antonio, TX 78206



Exhibit B

Job No.: 7608.00

Date: January 21, 2004

FIELDNOTES FOR A 67.603 ACRE TRACT

Fieldnotes for a 67.602 acre, (2,944,760 square foot), tract within the Extra Territorial Jurisdiction of the City of San Antonio, out of a 154.020 acre tract land being the same tract of land described as 153.908 acres recorded in the General Warranty Deed from Oliver Gilbert Marbach to Charles Armstrong recorded in Volume 366, Page 548 of the Official records of Comal County, Texas, situated in the Vicenti Micheli League Survey No. 114, Abstract 383, Comal County, Texas, and being more particularly described as follows:

BEGINNING: At a found $\frac{3}{4}$ " iron pin, on the southeast line of a 137.693 acre tract recorded in Volume 656, Page 558 of the Official Records of Comal County, Texas, on the Agreed Boundary Line between A.K. Briggs and wife, Emily Ruth Briggs and Charles Armstrong and wife, Marie B. Armstrong recorded in Volume 656, Page 560 of the Official Records of Comal County, Texas, the following courses and distances:

N 59°21'24" E, a distance of 1152.15 feet (1153.34 feet Deed), to a set $\frac{1}{2}$ " iron pin set with a yellow plastic cap stamped "Ford Eng., Inc.", an angle of the herein described tract;

N 59°03'06" E, a distance of 727.06 feet to the City of Garden Ridge City Limits Line, the north corner of the herein described tract;

THENCE: S 30°34'17" E, coincident with the City of Garden Ridge City Limits Line, across the above referenced 153.908 acre tract, a distance of 1438.52 feet to the northwest line of a remaining portion of a 110 acre tract recorded in Volume 90, Page 402 of the Deed Records of Comal County, Texas, the east corner of the herein described tract;

THENCE: S 59°44'06" W, coincident with the northwest line of the remaining portion of a 110 acre tract recorded in Volume 90, Page 402-403 of the Deed Records of Comal County, Texas, a distance of 429.85 feet, to a set $\frac{1}{2}$ " iron pin set with a yellow plastic cap stamped "Ford Eng., Inc.", an angle of the herein described tract;

THENCE: S 59°44'46" W, coincident with the northwest line of the above referenced remaining portion of a 110 acre tract, a distance of 565.06 feet to a set $\frac{1}{2}$ " iron pin set with a yellow plastic cap stamped "Ford Eng., Inc.", an angle of the herein described tract;

THENCE: S 59°37'01" W, coincident with the northwest line of the above referenced remaining portion of a 110 acre tract, a distance of 547.53 feet to a set $\frac{1}{2}$ " iron pin set with a yellow plastic cap stamped "Ford Eng., Inc.", an angle of the herein described tract;

THENCE: S 58°56'52" W, coincident with the northwest line of the above referenced remaining portion of a 110 acre tract, a distance of 645.18 feet to a set $\frac{1}{2}$ "

iron pin set with a yellow plastic cap stamped "Ford Eng., Inc.", the south corner of the herein described tract;

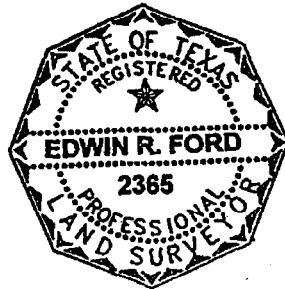
THENCE: N 27°56'40" W, departing the northwest line of the above referenced remaining portion of a 110 acre tract, a distance of 16.01 feet to a set ½" iron pin set with a yellow plastic cap stamped "Ford Eng., Inc.", the east corner of the above referenced 64.381 acre tract, the south corner of the herein described tract;

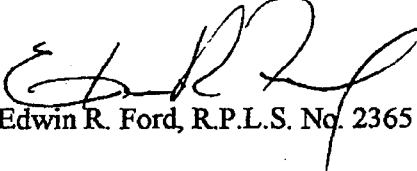
THENCE: N 23°47'32" W, coincident with the above referenced 64.3810 acre tract a distance of 513.65 feet, to a found 36" diameter Live Oak Tree, the same tree referenced in the 64.381 acre tract as a 24" diameter Live Oak Tree, an angle of the herein tract;

THENCE: N 15°17'41" W, coincident with the northeast line of the above referenced 64.381 acre tract, a distance of 937.54 feet (944.85 feet Deed), to the POINT OF BEGINNING, containing 67.602 acres, (2,944,760 square feet), according to a survey made under my supervision.

Bearings are based on the Texas State Plane Coordinate System, South Central Zone, North American Datum of 1983/93

Corresponding plat prepared




Edwin R. Ford, R.P.L.S. No. 2365