

*Agenda item #26*

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

**TO:** Sheryl Sculley, City Manager

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

**SUBJECT:** An Ordinance approving the Timberwood Park Area Land Use and Intensity Plan and authorizing the City to utilize the plan as a basis to identify future services and capital improvements in the area.

**DATE:** June 15, 2006

**SUMMARY AND RECOMMENDATIONS**

This is a request for consideration of an ordinance approving the Timberwood Park annexation area Land Use and Intensity Plan. As stated in Chapter 43 of the Texas Local Government Code, by the end of the first year after the date an area is annexed for limited purposes, the municipality must develop a land use and intensity plan as a basis to identify future capital improvement projects. Staff recommends approval.

**BACKGROUND INFORMATION**

On March 4, 2004 the "City of Timberwood Park Committee" requested City Council's consent to incorporate. City Council denied the request on June 29, 2004 because it is inconsistent with the City's goals to preserve the integrity of the City and protect the Extraterritorial Jurisdiction (ETJ). Subsequently, on December 20, 2004 a petition requesting annexation was submitted to the City. As stated in Chapter 42 of the Texas Local Government Code, if the City of San Antonio refuses to annex the area within six months after receiving such a petition, that failure or refusal to annex constitutes the City of San Antonio's consent for incorporation. As a result, the City of San Antonio annexed the area for limited purposes effective June 20, 2005, within the required six month time limit.

On July 30, 2005, staff met with Timberwood Park area residents in the area to present the option to negotiate a non-annexation agreement. It was explained that after the completion of the second public hearing, the County Commissioners Court may appoint a five (5) member negotiating team to represent the Timberwood Park annexation area. The public hearings were held on March 2 and March 9, 2006. On May 23, 2006, the County Commissioner's appointed a five (5) member negotiating team. City staff will initiate contact with the newly appointed negotiations team and extend an invitation to meet and begin to negotiate the provision of services or the provision of services in lieu of annexation (non-annexation agreement).

Terms of such an agreement would include the length of the agreement, services in lieu of annexation, the annexation and incorporation status, and the City's position upon the expiration of the non-annexation agreement. The City may elect to annex the area for full purposes immediately, add the area to the City's annexation plan, mandate a voluntary request for annexation, or negotiate a future extension of the existing non-annexation agreement. Staff anticipates completing the negotiations within four to six months.

## **POLICY ANALYSIS**

The City's goals for annexation are to preserve the range of annexation options, promote orderly growth and provision of municipal services, enhance the City's fiscal position, preserve the integrity of the City and the ETJ and maintain a systematic annexation process.

Including Timberwood Park annexation area in the City's Three-Year Annexation Plan and annexing the area for limited purposes was consistent with the City's goal to "preserve the integrity of the City and its extraterritorial jurisdiction." The action disallowed the incorporation of a city in San Antonio's ETJ and ensured through the extension of the City's development and building regulations that future development take place in a manner that ensures the health, safety, and welfare of the community.

As required under Chapter 43 of the Texas Local Government Code, the City will proceed to use the approved land use and intensity plan to properly identify future services and capital improvements in the area.

## **FISCAL IMPACT**

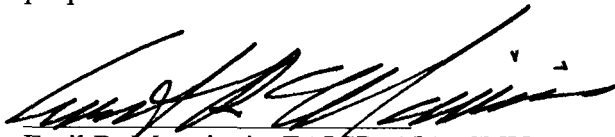
The City will utilize the land use and intensity plan information as a basis to assist in identifying future services and capital improvements in the area. Any financial impact as a result of the completed negotiations will be presented to City Council.

## **COORDINATION**

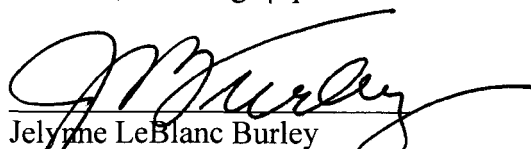
This item was coordinated with the City Attorney's Office.

## **SUPPLEMENTARY COMMENTS**

Although it is not required that the land use and intensity plan be approved, it would serve to further demonstrate that the City complied with the first required step in the first year of limited purpose annexation.



Emil R. Moncivais, FAICP, AIA, CNU  
Director, Planning Department



Jelyne LeBlanc Burley  
Deputy City Manager

Approved for Council Consideration:



Sheryl Sculley  
City Manager

# **Timberwood Park Area**

## **Land Use and Intensity Plan**

### **INTRODUCTION**

The City of San Antonio has prepared this land use and intensity plan for the area commonly known as the Timberwood Park area pursuant to Chapter 43 of the Texas Local Government Code. As required under Chapter 43 of the Texas Local Government Code, by the end of the first year after the date an area is annexed for limited purposes, the municipality must develop a land use and intensity plan as a basis to identify future services and capital improvements in the area.

### **AREA DESCRIPTION**

The Timberwood Park area property is situated north of the Stone Oak area, generally between Blanco, West Borgfeld and Bulverde Roads and is primarily within the Edwards Contributing Zone. The area comprises approximately 4,338 acres or 6.78 square miles. A map of the area is found in Attachment 1.

As of January 2006, the area's current population is estimated at 4,662 inhabitants.

### **LAND USE AND INTENSITY**

Since the filing of the initial restrictive covenants and plats in 1977 by the Timberwood Development Company, the Timberwood Park area has experienced a gradual increase in residential development. More recently within the last decade, the Timberwood Park area has experienced significant residential growth. According to the U.S. Census estimates, over 1000 housing units were built in this area from 1990 to 2000, more than doubling the area's total number of housing units within the ten year period. However, a considerable percentage of property in the area still remains undeveloped.

Staff anticipates the predominant residential development trend in the Timberwood Park area to continue as such repeating the popular and similar larger lot residential development trend in the areas to the immediate south and east. This trend includes a vast majority of low-density, larger than average single-family residential lots surrounding several medium-density clusters of residential developments with

multi-family complexes and commercial uses concentrated toward the perimeter of the area along Blanco, Borgfeld Road and near US 281. Recently filed Master Development Plans (MDP), plats and restrictive covenants for residential development in the Timberwood Park annexation area further reinforces this development trend.

The size of platted single-family residential lots in the area ranges from a common city size of 6,000 square feet to an abundant ten (10) acres. The average size of an existing residential platted lot in Timberwood Park is .77 of an acre or 33,637 square feet.

The existing residential and the potential for residential development comprises of approximately 91 percent of the Timberwood Park annexation area, approximately 3,935 acres or 6.15 square miles. Approximately 39 percent of the area is currently developed with 1,931 homes. Approximately 22 percent of the area or 1,490 parcels are vacant and platted for residential development. In addition, approximately 30 percent of the area is comprised of agricultural use with a high potential for residential development. The remainder of the area includes commercial, park and public uses totaling 2 percent of the area. Street rights of way comprise of the remaining area.

Based on past development trends, it is anticipated that within the next five (5) to ten (10) years at least three hundred (300) to nine hundred (900) additional homes will be constructed and the population will increase by eleven hundred (1,100) to three (3,000) thousand inhabitants.

## **CAPITAL IMPROVEMENT PROJECTS**

The City will utilize the land use and intensity plan information as a basis to assist in identifying future services and capital improvements in the area.

As required under Chapter 43 of the Texas Local Government Code, by the end of the second year after Timberwood Park was annexed for limited purposes, the municipality will include the annexation area in the municipality's long-range financial forecast and identify future capital improvement projects in the Capital Improvement Program (CIP). By the end of the third year after the limited purpose annexation date, the municipality will include in the adopted CIP, the projects intended to serve the area and will identify potential sources of funding for the capital improvements.

