



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 1, 2025

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

ZONING CASE Z-2025-10700042

**SUMMARY:**

**Current Zoning:** "C-3NA MLOD-2 MLR-1 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**Requested Zoning:** "MF-18 MLOD-2 MLR-1 AHOD" Limited Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 1, 2025.

**Case Manager:** Eradio Gomez, Zoning Senior Planner

**Property Owner:** M3 Property Rentals LLC

**Applicant:** The Legacy at Lackland, L.P.

**Representative:** Trey Jacobson, Momentum Advisory Services LLC

**Location:** generally located in the 6000 block of SW Loop 410

**Legal Description:** Lot P-3H, NCB 15172

**Total Acreage:** 4.893

### **Notices Mailed**

**Owners of Property within 200 feet:** 21

**Registered Neighborhood Associations within 200 feet:** NA

**City-Wide Community Organizations:** Women in Film & Television San Antonio

**Applicable Agencies:** Lackland AFB, Texas Department of Transportation

### **Property Details**

**Property History:** The subject property was annexed into the City of San Antonio by Ordinance 41420, dated December 25, 1972, and zoned Temporary "R-1" Single. The property was rezoned by Ordinance 90129, dated July 22, 1999, to "B-3NA" Business, Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 02, 2001, the property zoned "B-3NA" Business, Non-Alcoholic Sales District converted into "C-3NA" General Commercial Nonalcoholic Sales District.

### **Code & Permitting History:**

There is no code enforcement or permitting history for the subject property.

**Topography:** The property does not include any abnormal physical features such as slope or inclusion in a floodplain.

### **Adjacent Base Zoning and Land Uses**

**Direction:** North

**Current Base Zoning:** C-3NA

**Current Land Uses:** Vacant Land

**Direction:** South

**Current Base Zoning:** R-6

**Current Land Uses:** Vacant Land

**Direction:** East

**Current Base Zoning:** UZROW

**Current Land Uses:** SW Loop 410

**Direction:** West

**Current Base Zoning:** R-6

**Current Land Uses:** Residential Single-Family

### **Overlay District Information:**

The "MLOD-2" Lackland Military Lighting Overlay District does not restrict permitted uses, but does regulate outdoor lighting in an effort to minimize night-time light pollution and its effects on operations at the military installation.

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

None

**Transportation**

**Thoroughfare:** I – 410 Access Road

**Existing Character:** Minor

**Proposed Changes:** None Known

**Thoroughfare:** Lake Valley Street

**Existing Character:** Local

**Proposed Changes:** None Known

**Thoroughfare:** Sun Valley Drive

**Existing Character:** Local

**Proposed Changes:** None Known

**Public Transit:** There is public transit within walking distance of the subject property.

**Routes Served:** 616

**Traffic Impact:** A Traffic Impact Analysis Worksheet was submitted. Any further traffic requirements will be evaluated at the Building Permit phase.

**Parking Information:** The parking minimum parking requirement for a multi-family dwelling is 1.5 per unit, the maximum is 2 per unit.

**ISSUE:**

None

**ALTERNATIVES:**

Current Zoning: “C-3R” General Commercial Restrictive Alcoholic Sales Districts are identical to C-3 districts except that the sale of alcoholic beverages for on-premises consumption is prohibited.

Proposed Zoning: “MF-18” Limited Density Multi-Family District permits single-family dwelling (detached, attached or townhouse), two-family dwelling, three-family dwelling, four-family dwelling, row-house or zero-lot line dwelling, with a maximum density of 18 units per acre, assisted living home, skilled nursing facility, foster family home, public and private schools.

**FISCAL IMPACT:**

None

**PROXIMITY TO CURRENT AND/OR PLANNED REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR AS IDENTIFIED IN THE SA TOMORROW COMPREHENSIVE PLAN:**

The subject property is located within the Port San Antonio Regional Center but is not within ½ a mile of a Premium Transit Corridor.

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval.

**Criteria for Review:** According to Section 35-421, zoning amendments shall be based on approval criteria below.

1. **Consistency:** The subject property is located within the Port San Antonio Area Regional Center Plan, adopted in 2021, and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “MF-18” base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area.
3. **Suitability as Presently Zoned:** The existing “C-3NA” General Commercial Restrictive Alcoholic Sales Districts is an appropriate zoning for the property and surrounding area. The proposed “MF-18” Limited Density Multi-Family District is also appropriate. The proposed development is meeting a growing need for affordable, elderly housing. The proposal aligns with the goals of the Strategic Housing Implementation Plan (SHIP), which encourages the development of additional housing stock to accommodate the City’s growing population.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does appear to conflict with public policy. Relevant Goals and Policies of the Comprehensive Master Plan may include:
  - GCF Goal 1: Higher-density uses are focused within the city’s 13 regional centers and along its arterial and transit corridors.
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF Goal 6: Growth and city form support community health and wellness.
  - H P30: Ensure infill development is compatible with existing neighborhoods.

Relevant Goals and Policies of the Port San Antonio Area Regional Center Plan may include:

- Goal 4: Increase housing options while preserving or increasing home ownership. Direct higher density housing options to targeted focus areas and along major corridors and encourage appropriate transitions of density and intensity to existing lower density neighborhoods.
6. **Size of Tract:** The subject property is 4.893 acres, which can reasonably accommodate the proposed residential development.
  7. **Other Factors:** The subject property is located within the Lackland AFB Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JB SA was notified of the proposed request. The Military has indicated that there are no objections to this request.

The applicant intends to develop 78 affordable multi-family housing units targeted for ages 55 – plus.

The property is proposed for development of multifamily uses that shall not exceed 18 units per acre. At 4.893 acres, there could potentially be development of 88 units. The applicant's request is to build 78 units.

The proposed rezoning is seeking additional density for use as residential dwelling units. A rezoning application does not allow Short Term Rentals (STRs) as a use by right. Any applicant seeking to operate an STR must follow the appropriate City and Unified Development Code (UDC) processes and is required to apply and qualify for STR permit(s) through those processes. Short Term Rentals are governed by the UDC Section 16.1100. Also see Section 35-374.01 for STR density limitations, Section 35-399 for establishment regulations, and Section 35-482 for procedures regarding consideration of special exceptions.

Texas Department of Transportation (TxDot) has indicated no access may be allowed onto IH 410 frontage road, due to access onto Lake Valley Street and access from proposed neighboring car wash. TxDOT coordination would be required.