



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** December 5, 2023

**In Control:** Zoning Commission Meeting

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 7

**SUBJECT:**  
ZONING CASE Z-2023-10700264

**SUMMARY:**

**Current Zoning:** "R-6 S MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Specific Use Authorization for Noncommercial Sports Complex

**Requested Zoning:** "MF-25 MLOD-2 MLR-2 AHOD" Low Density Multi-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** December 5, 2023. This item was continued from November 7, 2023.

**Case Manager:** Joseph Leos, Zoning Planner

**Property Owner:** Timberhill Ventures, LLC

**Applicant:** Timberhill Ventures, LLC

**Representative:** Brown & McDonald PLLC

**Location:** Generally located in the 4000 block of Timberhill Drive

**Legal Description:** 22.088 acres out of NCB 18623

**Total Acreage:** 22.088 acres

**Notices Mailed****Owners of Property within 200 feet:** 75**Registered Neighborhood Associations within 200 feet:** N/A**Applicable Agencies:** Parks and Recreation Department, Lackland AFB, Planning Department**Property Details**

**Property History:** The property was annexed into the City of San Antonio by Ordinance 68299, dated December 30, 1989, and zoned Temporary "R-1" Single-Family Residence District. The property was rezoned by Ordinance 71383, dated August 12, 1990, to "R-1" Single-Family Residence District, "B-1" Business District, "B-2" Business District, and "B-3R" Restrictive Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "R-1" Single-Family Residence District, "B-1" Business District, "B-2" Business District, and "B-3R" Restrictive Business District was converted to "R-6" Residential Single-Family District, "C-1" Light Commercial District, "C-2" Commercial District, and "C-3R" General Commercial Restrictive Alcoholic Sales District respectively. The property was rezoned by Ordinance 94897, dated November 8, 2001, to "R-6 S" Residential Single-Family District with Specific Use Authorization for a non-commercial sport complex.

**Code & Permitting Details:** There is no code enforcement or permitting history for the subject property.

**Topography:** A portion of subject property is located with the 100 Year Flood Plain.

**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "R-6"**Current Land Uses:** Single-Family Dwelling**Direction:** East**Current Base Zoning:** "R-4 PUD"**Current Land Uses:** Vacant**Direction:** South**Current Base Zoning:** "C-3"**Current Land Uses:** Restaurant**Direction:** West**Current Base Zoning:** "R-6"**Current Land Uses:** Single-Family Dwelling**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:** Timberhill Drive

**Existing Character:** None

**Proposed Changes:** None Known

**Thoroughfare:** Wurzbach Road

**Existing Character:** None

**Proposed Changes:** None Known

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

**Routes Served:** 609, 534

**Traffic Impact:** A Traffic Impact Worksheet was submitted. Any additional traffic requirements will be reviewed at the build permit phase of the project.

**Parking Information:** The minimum parking requirement for multi-family units 25 units per acre is 1.5 per unit. The maximum parking requirement for multi-family units 25 units per acre is 2 per unit.

**ISSUE:**

None.

**ALTERNATIVES:**

Current Zoning: "R-6 S" Residential Single-Family District permits single-family dwelling (detached) with a minimum lot size of 6,000 square feet and a minimum lot width of 50 feet, foster family home, public and private schools.

The Specific Use Authorization is for a Noncommercial Sports Complex.

Proposed Zoning: "MF-25" Low Density Multi-Family District allows multi-family development up to 18 units per acre.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

Subject property is not located within a Regional Center and is not within ½ a mile from a Premium Transit Corridor

## **RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff recommends 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 West/Southwest Sector Plan, adopted April 2011, and is currently designated as “General Urban Tier” in the future land use component of the plan. The requested “MF-25” 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 “R-6 S” Residential Single-Family District with a Specific Use Authorization for Noncommercial Sports Complex is an appropriate zoning for the property and surrounding area. The requested “MF-25” Low Density Multi-Family District is also an appropriate zoning. The surrounding area accommodates other multi-family residential developments which are compatible with the proposed development. There is established single-family development behind the property, however, the proposed multi-family development is an appropriate transition and buffer from the commercial development to the south and east. Additionally, the request provides an additional housing type for the area, aligning with the goals and objectives of the Strategic Housing Implementation Plan, which aims to provide housing 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 not appear to conflict with any public policy objective. Relevant Goals and Policies of the Comprehensive Plan may include:
  - GCF Goal 5: Growth and city form support improved livability in existing and future neighborhoods.
  - GCF P9: Allow higher-density and mixed uses in portions of, or adjacent to, single-family residential areas to encourage shopping, services and entertainment amenities in close proximity to housing and where appropriate.
  - GCF P14: Establish appropriate buffers and transitions (land use, form and/or landscaping) between residential neighborhoods and surrounding higher-density development.
  - H Goal 2: A variety of housing types (single-family detached, single-family attached, multifamily, as well as ownership and rental opportunities) is available at a variety of price and rent levels.
  - H Goal 3: Housing choices are available in walkable and bikeable neighborhoods located near transit, employment, retail, medical and recreational amenities.
  - H P18: Encourage housing to be built with, near or adjacent to retail uses.

Relevant Goals and Strategies of the West/Southwest Sector Plan may include:

- Goal LU-1 Land use pattern emphasizes compatibility and appropriateness between uses and protects neighborhoods and businesses from incompatible land uses.
- LU-1.4 Allow for greater densities in neighborhoods adjacent or proximate to existing and planned activity centers and pedestrian oriented commercial nodes. Density should decrease as the distance from the activity center increases.
- Goal HOU-1 Housing stock is diverse and densities are distributed in accordance with the adopted West/Southwest Sector Land Use Plan.
- HOU-1.2 Provide a range of housing types and prices to accommodate all residents within the Sector and within the same neighborhood.

6. **Size of Tract:** The 22.088-acre site is of sufficient size to 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 property is proposed for development of multifamily uses that shall not exceed 25 units per acre. At 22.088 acres, there could potentially be development of 552 units. The applicant is requested to build 552 units.

For properties zoned “RM” or “MF” that abut lots zoned residential or are developed with a single-family use, the height is restricted to the maximum height of the single family district within 50 feet of the property line.

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.