



City of San Antonio

Agenda Memorandum

Agenda Date: November 7, 2023

In Control: Zoning Commission Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: District 8

SUBJECT:
ZONING CASE Z-2023-10700183

SUMMARY:

Current Zoning: "R-6 MLOD-1 MLR-2" Residential Single-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

Requested Zoning: "MF-18 MLOD-1 MLR-2" Limited Density Multi-Family Camp Bullis Military Lighting Overlay Military Lighting Region 2 District

BACKGROUND INFORMATION:

Zoning Commission Hearing Date: November 7, 2023

Case Manager: Ann Benavidez, Zoning Planner

Property Owner: McAlister Opportunity Fund 2012 LP

Applicant: McAlister Opportunity Fund 2012 LP

Representative: Ortiz McKnight, PLLC

Location: Generally located in the 16000 block of Kyle Seale Parkway

Legal Description: 10.77 acres out of CB 4549

Total Acreage: 10.77 acres

Notices Mailed**Owners of Property within 200 feet:** 11**Registered Neighborhood Associations within 200 feet:** Moss Brooks Estates North
Homeowners Association**Applicable Agencies:** Parks and Recreation Department, Camp Bullis, Planning Department**Property Details****Property History:** The subject property was annexed into the City of San Antonio by Ordinance 2017-08-31-0622, dated August 30, 2017. The property was zoned by Ordinance 2017-08-31-0624, dated August 31, 2017, to "R-6" Residential Single-Family 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 incursion in a flood plain, but there is a slope.**Adjacent Base Zoning and Land Uses****Direction:** North**Current Base Zoning:** "R-6"**Current Land Uses:** Golf course**Direction:** South**Current Base Zoning:** "R-6" "C-2"**Current Land Uses:** Vacant**Direction:** East**Current Base Zoning:** "R-6"**Current Land Uses:** Vacant**Direction:** West**Current Base Zoning:** "R-6", "OCL"**Current Land Uses:** Golf course, Residential dwellings**Overlay District Information:**

The "MLOD-1" Camp Bullis 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.

Special District Information:

No special district information.

Transportation**Thoroughfare:** Kyle Seale Parkway**Existing Character:** Secondary Arterial Type A**Proposed Changes:** None Known

Public Transit: There are no VIA bus routes within walking distance of the subject property.

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

Parking Information: The minimum parking requirement for multi-family development is 1.5 spaces per unit. The maximum parking requirement for multi-family development is 2 spaces per unit.

ISSUE:

None.

ALTERNATIVES:

Current Zoning: “R-6” 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.

Proposed Zoning: “MF-18” Limited Density Multi-Family District permits multi-family development at a maximum of 18 units per acre.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

The subject property is not located within a Regional Center or within a ½ mile of 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 North Sector Plan, adopted in August 2010, and is currently designated as “Suburban Tier” 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 current “R-6” Residential Single-Family District is an appropriate zoning for the property and surrounding area. The proposed “MF-18” Limited Density Multi-Family District is also appropriate. The property is placed and sized to

adequately accommodate the proposed development. The proposed multi-family residential development aligns with the existing development pattern of the area, which is largely vacant with some single-family residential neighborhoods in proximity. The proposal is consistent with the goals of the Strategic Housing Implementation Plan which encourages the development of alternate housing types to accommodate the city's growing population at all income levels.

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 objectives of the North Sector Plan:
 - HOU-1.1 Consider innovative allowances in zoning amendments that promote a variety of housing types in the North Sector and embrace flexible standards, including, but not limited to: zero lot lines, clustering of development, and density bonuses as per the Sector Land Use Plan.
 - HOU-1.2 Encourage compatible growth patterns and transitions of higher density residential along principal arterials and transit corridors that fit in with the existing residential character of the North Sector.
6. **Size of Tract:** The subject property is 10.77 acres, which can reasonably accommodate the proposed residential development.
7. **Other Factors:** The applicant intends to rezone to "MF-18" to develop multi-family apartments with a density of 18 units per acre. At 10.77 acres, this would allow a maximum of 194 units on this property.

The subject property is located within the Camp Bullis Awareness Zone/Military Influence Area. In accordance with the signed Memorandum of Understanding, JBSA was notified of the proposed request. The Military has indicated that there are no objections to this request.

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.