



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 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: November 7, 2023

Case Manager: Camryn Blackmon, 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: There are no registered Neighborhood and Community Associations within 200 feet

Applicable Agencies: Parks and Recreation, Military, Planning Department

Property Details

Property History: ADDThe 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:

Current Land Uses: Single-Family Dwelling

Direction: East

Current Base Zoning: “R-4 PUD”

Current Land Uses: Vacant

Direction: South

Current Base Zoning:

Current Land Uses: Restaurant

Direction: West

Current Base Zoning:

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: 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: Any uses permitted plus in MF-18 plus college fraternity dwelling, off-campus school dormitory/housing, but with a maximum density of 25 units per acre.

FISCAL IMPACT:

None.

PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:

Subject property is not located within the Regional Center and is not within ½ a mile from the 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 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:** ADD
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.
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.