City of San Antonio

Agenda Memorandum

File Number: 18-4869

Agenda Item Number: 4.

Agenda Date: 8/20/2018

In Control: Board of Adjustment

Case Number:	A-18-135
Applicant:	Alejandra Vazquez
Owner:	Alejandra Vazquez
Council District:	1
Location:	5138 Blanco Road
Legal Description:	Lot 31, NCB 11693
Zoning:	"C-2 AHOD" Commercial Airport Hazard Overlay District
Case Manager:	Dominic Silva, Planner

Request

A request for 1) to waive the minimum 12 month waiting period, as described in Section 35-480 (f) and 2) a parking adjustment, as described in Section 35-526, to decrease the minimum parking from 33 parking spaces to 18 parking spaces.

Executive Summary

The subject property is located at 5138 Blanco Road, approximately 1,167 feet south of Dresden Drive. Code Enforcement initiated this case on November 3, 2016 due to renovating and building an addition to the restaurant with no permits or reviews, specifically a new kitchen addition and detached storage building. Due to the expansion of the building and elimination of parking stall spaces, the applicant is requesting relief from the minimum parking spaces required. The Gross Floor Area of the building is 3,257 square feet. Based upon the Unified Development Code, the minimum parking spaces allowed is 33. The applicant requests 18 parking spaces. The required parking is based upon the Gross Floor Area (GFA), not the entire building size. The GFA does not calculate portions of the improvements on the lot such as the Manager's Office, or storage.

The applicant previously submitted a variance request for this address in June of this year for 10 parking spaces; however, that case was denied. The applicant has modified the site plan to accommodate for 18 spaces instead of 10 previously requested.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"C-2 AHOD" Commercial Airport Hazard Overlay District	Restaurant

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"C-3 AHOD" General Commercial Airport Hazard Overlay District	Used Car Dealership
South	"C-2 AHOD" Commercial Airport Hazard Overlay District	Gas Station
East	"C-3 AHOD" General Commercial Airport Hazard Overlay District	Used Car Dealership
West	"C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District	General Contractor

Comprehensive Plan Consistency/Neighborhood Association

The property is within the North Central Plan and designated as Mixed Use in the future land use component of the plan. The subject property is located within the boundaries of the North Shearer Hills Neighborhood Association. As such, they were notified and asked to comment.

Street Classification

North Flores Street is classified as a minor street.

Criteria for Review

According to Section 35-526 (b) 7 of the UDC, in order for a parking modification to be granted, the applicant must demonstrate that a hardship is created by strict interpretation. The UDC currently permits 33 parking spaces; however, the applicant expanded the restaurant with no permits and eliminated space that is reserved for parking stalls. If the applicant went through the plan review process beforehand, alternate options could have been pursued.

Staff cannot support the request as the use requires more parking than the site allows which will negatively impact adjacent properties. With only eighteen parking spaces, it is likely that adjacent properties will be burdened with overflow parking from this proposed restaurant renovation. Although the applicant has modified the site plan to allow an additional 8 parking spaces, staff cannot support a parking layout that has removed half of the spaces once reserved.

Staff Recommendation:

Staff recommends DENIAL of A-18-135 based on the following findings of fact:

1) Due to an new storage shed and expansion of the building, space once reserved for parking spaces is now unavailable; and,

2) Although the request is modified for an additional 8 parking spaces, the amount of spaces removed will create a burden with overflow parking within the immediate vicinity.