



City of San Antonio

Legislation Details (With Text)

File #: 20-7060

Type: Staff Briefing - Without Ordinance

In control: Board of Adjustment

On agenda: 12/7/2020

Title: BOA-20-10300113: A request by Cool Breeze Consultants LLC for A request for 1) a 24'11" variance from the Type D bufferyard to allow the southern bufferyard to be 1" wide and 2) a 25' variance from the Type E bufferyard to allow the western bufferyard to be 5' wide, located at 2637 Navajo Street. Staff recommends Approval. (Council District 4) (Dominic Silva, Senior Planner (210) 207-0120, Dominic.Silva@sanantonio.gov, Development Services Department)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachments

Date	Ver.	Action By	Action	Result
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Case Number: BOA-20-10300113

Applicant: Cool Breeze Consultants LLC

Owner: Group 1 Realty, Inc.

Council District: 4

Location: 2637 Navajo Street

Legal: Lot 9, Block 2, NCB 13401

Description:

Zoning: "1-2 MLOD-2 MLR-1 AHOD" Heavy Industrial Lackland
Military Lighting Overlay Military Lighting Region-1
Airport Hazard Overlay District

Case Manager: Dominic Silva, Senior Planner

Request

A request for 1) a 24'11" variance from the Type D bufferyard, as described in Section 35-510, to allow the southern bufferyard to be 1" wide and 2) a 25' variance from the Type E bufferyard, also described in Section 35-510, to allow the western bufferyard to be 5' wide.

Executive Summary

The applicant is requesting variances from the required landscape bufferyard requirements on a lot that will be long-term storage of vehicles for the adjacent auto dealership to the south which will be owned by the same

company.

The subject property is surrounding by industrial and commercial auto dealership uses. There are no residentially zoned properties within the surrounding area.

Code Enforcement History

No code enforcement history exists on this property.

Permit History

No permits have been processed for this property.

Clear Vision Review

A review of Clear Vision is not required.

Zoning History

The property was annexed in September 25, 1952 with ordinance 18115 and was zoned as “MM” Second Manufacturing District. The adoption of the UDC on May 3, 2001 with ordinance 93881 converted the “MM” zoning district to the current “I-2” Heavy Industrial zoning district.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“1-2 MLOD-2 MLR-1 AHOD” Heavy Industrial Lackland Military Lighting Overlay Military Lighting Region-1 Airport Hazard Overlay District	Vacant

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“1-2 MLOD-2 MLR-1 AHOD” Heavy Industrial Lackland Military Lighting Overlay Military Lighting Region-1 Airport Hazard Overlay District	Vacant
South	“C-3NA MLOD-2 MLR-1 AHOD” General Commercial Nonalcohol Sales Lackland Military Lighting Overlay Military Lighting Region-1 Airport Hazard Overlay District	Auto Dealership

East	“C-3 MLOD-2 MLR-1 AHOD” General Commercial Lackland Military Lighting Overlay Military Lighting Region-1 Airport Hazard Overlay District	Vacant
West	“C-2 CD MLOD-2 MLR-1 AHOD” Commercial Lackland Military Lighting Overlay Military Lighting Region-1 Airport Hazard Overlay District with a Conditional Use for Auto - Parking and/or Storage - Long Term	Parking Lot

Comprehensive Plan Consistency/Neighborhood Association

The subject property is located within a West/Southwest Sector Plan and is designated as General Urban Tier as the future land use designation. The subject property is not within the boundaries of a registered neighborhood association.

Street Classification

Navajo Street is classified as a collector.

Criteria for Review

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. *The variance is not contrary to the public interest.*

The requested reduction of the southern and western bufferyards is not contrary to public interest as it does not negatively impact any surrounding properties or the general public. As of now, the property has no bufferyards established, so any new development will be beneficial and a net improvement to the surrounding district.

2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*

Literal enforcement would not allow the redevelopment of the vacant property as proposed due to the narrow, oddly shaped configuration of the lot and establishing new bufferyards as required.

3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*

In this case, the proposed bufferyard will adhere to the spirit of the ordinance and substantial justice will be done by implementing the requested bufferyards where none exists currently in order to utilize the property.

4. *The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.*

The requested variances will not permit a use not authorized within the district it is located in.

5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*

The introduction of the requested bufferyards would only enhance the overall appearance of the property, streetscape, and district.

6. *The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.*

The plight of the owner for which the variance is sought is due to the oddly configured, narrow lot and the adjacent industrial and commercial zoned properties which require bufferyards that would only limit any future development.

Alternative to Applicant's Request

The alternative to the applicant's request is to conform to Unified Development Code in Sections 35-510.

Staff Recommendation

Staff recommends **Approval** of the variances requested in **BOA-20-10300113**, based on the following findings of fact:

- 1) The request does not negatively impact the surrounding property owners nor will it significantly alter the appearance of the district, and;
- 2) The requested variances will allow maximum use of the vacant property.