



City of San Antonio

Agenda Memorandum

File Number:20-1886

Agenda Item Number: 2.

Agenda Date: 2/17/2020

In Control: Board of Adjustment

Case Number: BOA-20-10300002
Applicant: Mark Johnson
Owner: H.E.B., LP
Council District: 8
Location: 5700 Northwest Parkway
Legal: Lot 5, Block 2, NCB 17504
Description:
Zoning: "I-1 MLOD-1 MLR-2" General Industrial Camp Bullis
Military Lighting Overlay Military Lighting Region 2
Case Manager: Dominic Silva, Senior Planner

Request

A request for a special exception, as described in Section 35-514, to allow a fence to be up to 6' tall in the front yard.

Executive Summary

The subject property is located at 5700 Northwest Parkway, on the corner of Silicon Drive and Northwest Parkway. The applicant initially requested an 8' tall open fence but is now requesting to erect a 6' tall open screen fence within the front property for security of their corporate campus facility and directing of traffic flow safely.

Because the property's "I-1" General Industrial District is utilized as a commercial use, the applicant must adhere to a 5' predominately open fence within the front property or obtain a special exception for up to 8' tall. The area is characterized as an industrial, technology, and university business park with multiple large lots fenced in entirely from front to back.

Code Enforcement History

No code enforcement history exists on this property.

Permit History

No permit history pertaining to the proposed fence exists for this property.

Zoning History

The area was annexed under Ordinance 41426 dated December 26, 1972 and was originally zoned as “I-1” Industrial District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property converted from “I-1” Industrial District to the current “I-1” General Industrial District.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
“I-1 MLOD-1 MLR-2” General Industrial Camp Bullis Military Lighting Overlay Military Lighting Region 2	Commercial

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“I-1 MLOD-1 MLR-2” General Industrial Camp Bullis Military Lighting Overlay Military Lighting Region 2	Commercial
South	“I-1 MLOD-1 MLR-2” General Industrial Camp Bullis Military Lighting Overlay Military Lighting Region 2	Commercial
East	“I-1 MLOD-1 MLR-2” General Industrial Camp Bullis Military Lighting Overlay Military Lighting Region 2	Commercial
West	“I-1 MLOD-1 MLR-2” General Industrial Camp Bullis Military Lighting Overlay Military Lighting Region 2	Commercial

Comprehensive Plan Consistency/Neighborhood Association

The subject property is within the boundaries of the Tanglewoodridge Neighborhood Plan and currently designated as Light Industrial in the future land use component of the plan. The subject property is not within the boundaries of a registered neighborhood association.

Criteria for Review

According to Section 35-482(h) of the UDC, in order for a special exception to be granted, the Board of Adjustment must find that the request meets each of the five following conditions:

A. The special exception will be in harmony with the spirit and purpose of the chapter.

The UDC states the Board of Adjustment can grant a special exception for a fence height modification up

to eight feet. The additional fence height is intended to provide safety and security of the applicant's corporate campus facility and for the direction of traffic flow safely. If granted, this request would be in harmony with the spirit and purpose of the ordinance.

B. The public welfare and convenience will be substantially served.

In this case, these criteria are represented by maximum fence heights to protect commercial property owners while still promoting a sense of community. A 6' tall predominately open fence is proposed along the front property to provide additional security for the applicant's property. This is not contrary to the public interest.

C. The neighboring property will not be substantially injured by such proposed use.

The fence will create enhanced security for the subject property and is highly unlikely to injure adjacent properties as other properties within the industrial, technology, and university park has similar fences to provide enhanced security and safety. Further, the fencing does not violate Clear Vision standards.

D. The special exception will not alter the essential character of the district and location in which the property for which the special exception is sought.

The fencing does not detract from the character of the business district. The fencing is in line with other preexisting fencing material and height within the immediate vicinity.

E. The special exception will not weaken the general purpose of the district or the regulations herein established for the specific district.

The property is located within the "I-1 MLOD-1 MLR-2" General Industrial Camp Bullis Military Lighting Overlay Military Lighting Region 2 and permits the current use. The requested special exception will not weaken the general purpose of the district.

Alternative to Applicant's Request

Denial of the variance request and special exception would result in the owner having to meet the required fence height regulations in Section 35-514.

Staff Recommendation

Staff recommends **APPROVAL** of **BOA-20-10300002**, based on the following findings of fact:

1. The proposed fence is of similar height, design, and purpose as other fences within the business district, and;
2. Clear Vision standards are not in violation.