



City of San Antonio

Agenda Memorandum

Agenda Date: August 19, 2024

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Amin Tohmaz, Interim Department Head

CASE NUMBER: BOA-24-10300144

APPLICANT: WG Inc.

OWNER: Assistance League of San Antonio, Inc.

COUNCIL DISTRICT IMPACTED: District 1

LOCATION: 2711 West Avenue

LEGAL DESCRIPTION: Lot 3, Block 10, NCB 10382

ZONING: "C-2 AHOD" Commercial Airport Hazard Overlay District

CASE MANAGER: Vincent Trevino, Senior Planner

A request for

An appeal from an Administrator's Decision for a sidewalk Administrative Variance.

Executive Summary

An Administrative Variance was denied requesting exemption from the required sidewalk improvements required by Section 35-506(a)(1)(c)(2). Staff's denial for the administrative variance was based on the location of the building near residences, other sidewalks, and bus stops, as well as considering that the cost of rehabilitation significantly exceeds the cost of the sidewalk improvements. Additionally, the sidewalks will also be required to be upgraded to ADA compliance. Value of renovation is \$900,000. Value of building is \$653, 680. Cost of renovation is 138% of the cost of the building.

Applicable Code References

Section 35-506(a)(1)(c)(2): Applications for a building permit for all new structures, additions, and renovations/remodels on a developed lot with existing buildings, or a single building on several lots under one (1) owner. For existing structure(s), the provisions of this division apply where the cost of the repair or improvement amounts to twenty-five (25) percent or more of the assessed valuation of the building/structure(s) as set forth by the city tax roll for the entire lot, or if provided by applicant, other proof of valuation such as published by the development services department's calculated building valuation based on construction type, occupancy and square footage, or proof of recent purchase price of the structure(s). Existing renovations and remodels where the cost of repairs or improvements are less than fifty thousand dollars (\$50,000.00) are not subject to the provisions of this section. Additional building permit applications that are submitted within a year's time frame by a single owner shall have the project valuations added to determine applicability of this division. This is not intended to apply to multiple tenant finish-outs in one (1) year caused by tenants moving in and out of multi-leased buildings where the building owner has not intended to remodel the structure.

Code Enforcement History

No Code Enforcement history found.

Permit History

No Permit history found.

Zoning History

The subject property was annexed into the City of San Antonio by Ordinance 18115, dated September 24, 1952, and zoned "F" Local Retail District. The property was rezoned by Ordinance 47170, dated September 16, 1976, to the "B-3" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-3" Business District converted to the current "C-3" General Commercial District. The property was rezoned by Ordinance 2009-10-01-0786, dated October 11, 2009, to the "C-2 Commercial District.

Subject Property Zoning/Land Use

Existing Zoning

"C-2 AHOD" Commercial Airport Hazard Overlay District

Existing Use

Vacant Commercial

Surrounding Property Zoning/ Land Use

North

Existing Zoning

"C-2 AHOD" Commercial Airport Hazard Overlay District

Existing Use

Restaurant

South

Existing Zoning

"C-2 AHOD" Commercial Airport Hazard Overlay District

Existing Use
Mechanic/Strip Mall

East

Existing Zoning

"C-1 CD" Light Commercial District with a Conditional Use for an Auto Repair Facility

Existing Use

Mechanic

West

Existing Zoning

"IDZ-1 AHOD" Limited Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-1 " Light Commercial District and for Construction Trades Contractors with Screened Outside Storage.

Existing Use

Vacant Commercial

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the Greater Dellview Area Sector Plan and is designated as "Community Commercial" in the future land use component of the plan. The subject property is not located within the boundary of a registered neighborhood association.

Street Classification

West Avenue is classified as a Secondary Arterial Type B.

El Monte Boulevard is classified as Local Street.

Board of Adjustment

The Board of Adjustment is asked to determine whether to uphold Staff's interpretation of Section 35-506(a)(1)(c)(2), to be exempt from additional improvements to the existing sidewalk fronting El Monte Boulevard, as it relates to 2711 West Avenue.

Conclusion

Staff concludes that additional improvements will be required for the existing sidewalk fronting El Monte Boulevard based on Section 35-506(a)(1)(c)(2) based on the following findings of the fact:

1. Staff's denial for the administrative variance was based on the location of the building near residences, other sidewalks, and bus stops, as well as considering that the cost of rehabilitation significantly exceeds the cost of the sidewalk improvements. Additionally, the sidewalks will be required to be upgraded to comply with ADA standards.