



City of San Antonio

Agenda Memorandum

Agenda Date: April 21, 2025

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon, Director

CASE NUMBER: BOA-25-10300048

APPLICANT: Horizon Landscape

OWNER: Bullish Resources INC

COUNCIL DISTRICT IMPACTED: District 8

LOCATION: 10855 IH 10 West

LEGAL DESCRIPTION: Lot 15, Blk 1, NCB 15017

ZONING: "C-3 UC-1" General Commercial Interstate Highway 10/FM 1604 Urban Corridor District

CASE MANAGER: Manuel Mottu, Planner

A request for:

An 11'-9" buffer variance from the 15' type B buffer along 145' of the IH 10 West R.O.W. to allow for a parking lot expansion with a 3'-3" type B buffer.
Section 35-510

Executive Summary

The subject property is located near the Eastern intersection of Interstate Highway 10 West and Huebner Road, South of Expo Boulevard, and abuts the Interstate Highway 10 West Access Road. There are no Neighborhood Associations within a 200ft distance from the property. The applicant is requesting a landscape buffer variance approval from the Board of Adjustment to allow a reduced buffer of 3'-3" for the proposed parking lot expansion. Site plan shows additional landscaping on the lot.

Code Enforcement History

No Code Enforcement history found.

Permit History

The applicant has not yet applied for the building permit.

Zoning History

The subject property was annexed by Ordinance 41428, dated December 26th, 1972. The property was rezoned by Ordinance 57270, dated July 14th, 1983, to “P-1(B-3)” Planned Development Business District. The property was rezoned by Ordinance 83764, dated March 14th, 1996, from “P-1(B-3)” Planned Development Business District to “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 was converted to “C-3” General Commercial District.

Subject Property Zoning/Land Use

Existing Zoning

“C-3 UC-1” General Commercial Interstate Highway 10/FM 1604 Urban Corridor District

Existing Use

Auto Dealership

Surrounding Property Zoning/ Land Use

North

Existing Zoning

“C-3 PUD” Planned Unit Development General Commercial Interstate Highway 10/FM 1604 Urban Corridor District

Existing Use

Office Building/Parking Lot

South

Existing Zoning

UZROW

Existing Use

Interstate Highway 10 West

East

Existing Zoning

“C-3 UC-1” General Commercial Interstate Highway 10/FM 1604 Urban Corridor District

Existing Use

Auto Dealership

West

Existing Zoning

“C-3 PUD” Planned Unit Development General Commercial Interstate Highway 10/FM 1604 Urban Corridor District

Existing Use

Office Building

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the North Sector Plan and is designated as “Mixed Use Center” in the future land use component of the plan. The subject property is located within the notification area of the Riot Commons Community Organization, and they have been notified of the request.

Street Classification

Interstate Highway 10 West is classified as Super Arterial Type B.

Criteria for Review – Buffer Variance

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 public interest is defined as the general health, safety, and welfare of the public. In this case, the public interest is represented by minimum landscape buffer requirements for commercial properties on arterial roads. Staff finds the reduced buffer to be of no impact to the neighboring properties as there are properties in the surrounding area that have similarly reduced landscape buffers.

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

Staff found a special condition exists on the subject property. The limited available development space prevents the expansion of the existing parking area towards any other direction other than into the buffer.

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

The spirit of the ordinance is defined as the intent of the code, rather than the exact letter of the law. The request appears to be in the spirit of the ordinance, as the affected square footage of the landscape buffer will be relocated to other parts of the property and not eliminated as a remedy to the variance.

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.

No uses other than those allowed within the district will be allowed with this variance.

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.

If the requested variance is granted, the variance will not substantially injure the appropriate use of the neighboring properties as the part of the landscape buffer that will be encroached upon will be relocated.

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.

Staff finds the plight of the owner of the property for which the variance is sought is due to a unique circumstance existing on and near the property such as the limited available development space, preventing the expansion of the existing parking area.

Alternative to Applicant's Request

The alternative to the applicant's request is to conform to the Landscape Buffer requirements of the UDC Section 35-510.

Staff Recommendation – Landscape Buffer Variance

Staff recommends Approval in BOA-25-10300048 based on the following findings of fact:

1. The limited development space prevents the parking lot expansion into other areas of the property while staying in compliance with UDC standards.
2. The affected Type B buffer square footage area will be relocated to other parts of the property surrounding the parking lot.