



City of San Antonio

Agenda Memorandum

Agenda Date: February 24, 2025

In Control: Board of Adjustment Meeting

DEPARTMENT: Development Services Department

DEPARTMENT HEAD: Michael Shannon, Director

CASE NUMBER: BOA-25-10300011

APPLICANT: Ada Consulting Group, INC

OWNER: VIZZA WASH LP

COUNCIL DISTRICT IMPACTED: District 2

LOCATION: 1250 Austin Highway

LEGAL DESCRIPTION: Lot 26, Block 1, NCB 8694

ZONING: "C-3NA MC-3 AHOD" General Commercial Nonalcoholic Sales Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District

CASE MANAGER: Melanie Clark, Planner

A request for

1) A 17' variance from the maximum 40' MC-3 Austin Hwy Metropolitan Corridor front setback to allow a structure to be 57' from the front property line.

Section 35-339.01(f) and Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor design standards (2012)

2) A 15' variance from the minimum 20' MC-3 Austin Highway Metropolitan Corridor side setback to allow a structure to be 5' from the west side property line.

Section 35-339.01(f) and Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor design standards (2012)

3) A 3' and 10" variance from the minimum 10' MC-3 Austin Highway Corridor landscape buffer to allow a 7' landscape buffer, with landscape buffer elimination along the building, on the west side of property.

Section 35-339.01(f) and Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor design standards (2012)

4) A 5' variance application from the minimum 10' MC-3 Austin Highway Corridor landscape buffer to allow for a 5' landscape buffer on the east side of the property.

Section 35-339.01(f) and Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor design standards (2012)

5) A request for a 6 parking spaces variance from the minimum 7 required parking spaces to allow 1 parking space.

Section 35-526 Table 526-3d

6) A 2% impervious cover variance to from the maximum 80% impervious cover to allow 82% impervious coverage in the front yard.

Section 35-339.01(f) and Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor design standards (2012)

7) A variance from the MC-3 Austin Hwy Metropolitan Corridor to allow a dumpster to be located in the front of the property.

Section 35-339.01(f) and Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor design standards (2012)

8). An 11' variance from the maximum 40' MC-3 Austin Highway Metropolitan Corridor front setback to allow a dumpster to be 51' from the front property line.

Section 35-339.01(f) and Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor design standards (2012)

Executive Summary

Subject property is located east of North Vandiver Road, on the corner intersection of Austin Highway and southern portion of Seidel Road. The applicant, on behalf of the property owner, is proposing demolition of an existing automatic carwash for development of a new automatic carwash facility. The applicant is requesting a 17' variance from the maximum 40' Metropolitan Corridor front setback to allow a proposed structure to be 57' from the front property line. A 15' variance from the minimum 20' Metropolitan Corridor side setback to allow a structure to be 5' from the west side property line. A 3' and 10" variance from the minimum 10' Metropolitan Corridor landscape buffer to allow a 7' landscape buffer, with landscape buffer elimination along the building, on the west side of property and a 5' landscape buffer variance to allow a 5' landscape buffer on the east side of the property. The applicant is also seeking variances from the MC-3 Austin Highway Metropolitan Corridor impervious cover and dumpster design standard requirements to allow for a 2% impervious cover increase to allow 82% impervious coverage in the front yard, a dumpster to be located in the front of the property and exceed the maximum 40' MC-3 Austin Highway Metropolitan Corridor front setback to be 51' from the front property line.

Lastly, the applicant is requesting a variance from the required parking spaces to allow 1 parking space. Permits are pending the outcome of the Board of Adjustment.

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 into the City of San Antonio by Ordinance 1257 dated August 2, 1944, and zoned "F" Local Retail District. The property was rezoned by Ordinance 87435 dated February 26, 1998, from "F" Local Retail District to "B-3NA" Business Non-Alcoholic Sales District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the zoning converted from "B-3NA" Business Non-Alcoholic Sales District 4" Residential Mixed District to the current "C-3NA" General Commercial Nonalcoholic Sales District.

Subject Property Zoning/Land Use

Existing Zoning

"C-3NA MC-3 AHOD" General Commercial Nonalcoholic Sales Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District

Existing Use

Carwash

Surrounding Property Zoning/ Land Use

North

Existing Zoning

"C-2 MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District

Existing Use

Commercial Use

South

Existing Zoning

"C-2 CD MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District with Conditional Use for Mini-Warehouse

Existing Use

High Rise Mini-Warehouse Storage

East

Existing Zoning

“C-2 CD MC-3 AHOD” Commercial Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District with Conditional Use for Mini-Warehouse

Existing Use

High Rise Mini-Warehouse Storage

West

Existing Zoning

“C-2 MC-3 AHOD” Commercial Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District

Existing Use

Shopping Center

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the Near Northeast/Northeast Inner Loop 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

Austin Highway is classified as a Primary Arterial Type A.

Seidel Road is classified as a local road.

Criteria for Review – MC-3 Austin Hwy Metropolitan Corridor Front, Side Setbacks, Dumpster Orientation, Landscape Buffer, Parking Space, and Impervious Cover Variances

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. The public interest is represented by maintaining the established design and development standards of the Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor. Staff finds the requested setbacks, landscape buffer, parking, impervious cover, and dumpster orientation variances to be the minimum request to afford the applicant relief to the corridor standards and will improve the overall design and aesthetics of the property. The request does not appear to be inconsistent with other structures in along the corridor in the immediate vicinity, or out of character for the metropolitan corridor district.

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

Staff found special conditions existing on the property that would result in unnecessary hardship as the property is sandwiched between existing and surrounding properties are built out with a shopping center with significant impervious cover to the west and storage units to the east.

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 does appear to be in the spirit of the ordinance, as the requested variances are the minimum requirements needed to afford the applicant relief from the metropolitan corridor requirements.

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 granted, the variances will not substantially injure the appropriate use of the adjacent conforming properties. The proposed development will not alter the essential character of the district but will enhance the corridor with redevelopment by creating a streetscape.

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 unique circumstances existing around and, on the property, while the redevelopment of the property supports the spirit and intent of the metropolitan corridor via landscaping and streetscape.

Alternative to Applicant's Request

The alternative to the applicant's request is to conform to the metropolitan corridor setback requirements of the UDC Section 35-339.01(f) and the Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor design standards and parking standards of the UDC Section 35-526.

Staff Recommendation – MC-3 Austin Hwy Metropolitan Corridor Front, Side Setbacks, Dumpster Orientation, Landscape Buffer, Parking Space, and Impervious Cover Variances

Staff recommends Approval in BOA-25-10300011 based on the following findings of fact:

1. The proposed development and requested variances are the minimum requirements needed to afford the applicant relief from the metropolitan corridor requirements.
2. The proposed development is sandwiched between commercial developments with significant impervious cover, while the proposed carwash promotes streetscape and landscaping which support the intent of the metropolitan corridor.