



City of San Antonio

Legislation Details (With Text)

File #: 17-6504

Type: Zoning Case

In control: Board of Adjustment

On agenda: 12/4/2017

Title: A-18-001: A request by Keller Customer Signs for a 39 foot variance from the 200 spacing requirement between two signs to allow them to be 161 feet apart, located at 4400 Block of Loop 1604 West. Staff recommends Approval. (Council District 8)

Sponsors:

Indexes:

Code sections:

Attachments: 1. A-18-001 Attachments

Date	Ver.	Action By	Action	Result
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Case Number: A-18-001

Applicant: Keller Customer Signs

Owner: JD Keller

Council District: 8

Location: 4400 Block of Loop 1604 West

Legal: Lot 10, Block 1, NCB 17700

Description:

Zoning: “C-3 UC-1 MLOD-1 AHOD ERZD” General Commercial Urban Corridor Overlay Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District

Case Manager: Oscar Aguilera, Planner

Request

A request for a 39 foot variance from the 200 feet minimum required distance between two signs on a sign master plan development agreement, as described in Chapter 28, Section 28-49, to allow two signs to be 161 feet apart.

Executive Summary

The applicant is requesting the variance to allow two signs to be 161 feet apart. Currently, a letter signed by all the property owners in the plan area agreed to the terms of the plan and that they and their successors will abide by the plan to have 200 feet minimum required distance between two signs. The variance is being requested because the current sign affecting the request was put in place prior to the owner acquiring the property. The owner needs highway signage to adequately promote his business. Even if the variance is approved, the applicant would still be required to apply for a new Sign Master Plan.

Existing Zoning	Existing Use
“C-3 UC-1 MLOD-1 AHOD ERZD” General Commercial Urban Corridor Overlay Camp Bullis Military Lighting Overlay Airport hazard Overlay Edwards Recharge Zone District	Vacant commercial

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“C-3 UC-1 MLOD-1 AHOD ERZD” General Commercial Urban Corridor Overlay Camp Bullis Military Lighting Overlay Airport hazard Overlay Edwards Recharge Zone District and “C-2 CD S UC-1 MLOD-1 AHOD ERZD” Commercial Urban Corridor Overlay Camp Bullis Military Lighting Overlay Airport hazard Overlay Edwards Recharge Zone District with a Conditional Use and a Specific Use Authorization for an Indoor Shooting	Gun Shop, Gun Range
South	“UZROW”	Loop 1604
East	“C-3 UC-1 MLOD-1 AHOD ERZD” General Commercial Urban Corridor Overlay Camp Bullis Military Lighting Overlay Airport hazard Overlay Edwards Recharge Zone District with an Specific Use Authorization for a tire shop	Tire Shop
West	“C-3 UC-1 MLOD-1 AHOD ERZD” General Commercial Urban Corridor Overlay Camp Bullis Military Lighting Overlay Airport hazard Overlay Edwards Recharge Zone District	Vacant land

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the North Sector Plan and it is currently designated as Mixed Use Center in the future land use component of the plan. The subject property is not located within the boundaries of a neighborhood association.

Criteria for Review

Pursuant to Section 28-247 of *Chapter 28: Signs and Billboards* of the City Code, in order for a variance to be granted, the applicant must demonstrate:

1. *The variance is necessary because strict enforcement of this article prohibits any reasonable opportunity to provide adequate signs on the site, considering the unique features of a site such as its dimensions, landscaping, or topography; or*

2. *A denial of the variance would probably cause a cessation of legitimate, longstanding active commercial use of the property; and*

The sign master plan development agreement did not include the property where the tire store is located. The tire store currently has signage that interferes with the applicant's signage. The property owner requires signage in order to promote his business.

3. *After seeking one or more of the findings set forth in subparagraphs (1) and (2), the Board finds that:*

A. Granting the variance does not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

The request is not out of character with the surrounding commercial properties. The signs are simply located too close to another.

B. Granting the variance will not have a substantially adverse impact on neighboring properties.

The sign master plan states that all land owners agree to the terms of the plan and that they and their successors will abide by the plan. The proposed variance will not have an adverse impact on neighboring properties as many of the properties surrounding the subject property or other commercial properties have similar signage and front Loop 1604.

C. Granting the variance will not substantially conflict with the stated purposes of this article.

The requested variance does not conflict with the stated purpose of the chapter. The requested minimum distance provides reasonable limits on signage to help preserve economic cornerstones. Further, the request will not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs.

Alternative to Applicant's Request

The applicant must adhere to the current sign master plan.

Staff Recommendation

Staff recommends **APPROVAL of A-17-209** based on the following findings of fact:

1. The request is minimal in nature; and
2. Granting the variance would allow the owner to advertise their business in a similar manner that is enjoyed by other adjacent properties.