



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-1034

**Type:** Zoning Case

**In control:** Board of Adjustment

**On agenda:** 12/18/2017

**Title:** A-18-006: A request by Site Enhancement Services for a 75 foot variance from the 150 foot distance requirement between two signs to allow two signs to be 75 feet apart, located at 3147 SE Military Drive. Staff recommends Approval. (Council District 3)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A-18-006 Attachments

Date	Ver.	Action By	Action	Result
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**Case Number:** A-18-006

**Applicant:** Site Enhancement Services

**Owner:** MB San Antonio Brooks LTD Partnership

**Council District:** 3

**Location:** 3147 SE Military Drive

**Legal:** Lot 24, NCB 10979

**Description:**

**Zoning:** "C-2 AHOD" Commercial Airport Hazard Overlay District

**Case Manager:** Oscar Aguilera, Planner

### Request

A request for a 75 foot variance from the 150 foot 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 75 feet apart.

### Executive Summary

The applicant is requesting the variance to allow two signs to be 75 feet apart. The variance is being requested because Olive Garden is opening a restaurant at the stated above location. The proposed freestanding sign will be located 75 feet from the existing multi-tenant sign for the development. The proposed new restaurant needs signage to adequately promote the business.

Existing Zoning	Existing Use
"C-2 AHOD" Commercial Airport Hazard Overlay District	Vacant commercial

**Surrounding Zoning/Land Use**

<b>Orientation</b>	<b>Existing Zoning District(s)</b>	<b>Existing Use</b>
North	“C-2 AHOD” Commercial Airport Hazard Overlay District	Strip Mall
South	“UZROW”	SE Military Drive
East	“C-2 AHOD” Commercial Airport Hazard Overlay District	Strip Mall
West	“C-2 AHOD” Commercial Airport Hazard Overlay District	Peter Piper Pizza, Strip Mall

**Comprehensive Plan Consistency/Neighborhood Association**

The property is within the boundaries of the South Central Community Plan and it is currently designated as Regional Commercial in the future land use component of the plan. The subject property is located within the boundaries of the Highland Hills Neighborhood Association. As such, they were notified and asked to comment

**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 applicant stated that the proposed Olive Garden would suffer an unnecessary hardship as this condition existed with the previous tenant. The previous tenant had a freestanding sign at the existing location and removed the sign cabinet. The pole and foundation for the sign were left at the property. The applicant would like to place the Olive Garden Sign at the exact location where the foundation and previous pole are, since there is a lack of way finding services on the east side of the building and to effectively make the business visible to westbound motorists. The property owner requires signage in order to promote the 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 and the sign is simply located too close to another.**

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

**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 SE Military Drive.**

*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-18-006** 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.