



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-2055  
**Type:** Staff Briefing - Without Ordinance  
**In control:** Board of Adjustment

**On agenda:** 3/16/2015

**Title:** A-15-054: The request of Comet Signs, LLC for a 12 foot variance from the maximum 24 foot sign height to allow a free standing pole sign 36 feet tall, located at 300 W. Olmos Drive. (Council District 1)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A-15-054 notification, 2. A-15-054 notification w aerial, 3. Applicant's site plan, 4. sign elevations

Date	Ver.	Action By	Action	Result
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**Case Number: A-15-054**

**Applicant:** Comet Signs, LLC  
**Owner:** H. E. Butt Grocery Company  
**Council District:** 1  
**Location:** 300 W. Olmos Drive  
**Legal Description:** Lot 3, Block 9, NCB 7299  
**Zoning:** "I-1 AHOD" General Industrial Airport Hazard Overlay District  
**Case Manager:** Margaret Pahl, AICP Senior Planner

**Request**

A request for a 12 foot variance from the 24 foot maximum sign height as described in Section 28-239, to allow a free-standing pole sign that is 36 feet tall.

**Executive Summary**

The subject property is 9.2 acres, and is owned by the HEB Grocery Company. They originally purchased the property in 1992, constructed a 70,000 square foot grocery store in 1993, along with a 36 foot tall sign. Recently, the store was remodeled and new wall signage was installed. The owners are seeking a variance to allow their new logo to be installed on the existing pole sign constructed along their major frontage on W. Olmos Drive. They seek a 12 foot variance from the maximum 24 foot height allowed for a sign on a commercial collector street.

**Subject Property Zoning/Land Use**

<b>Existing Zoning</b>	<b>Existing Use</b>
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"I-1 AHOD" General Industrial Airport Hazard Overlay District	Grocery Store
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**Surrounding Zoning/Land Use**

Orientation	Existing Zoning District(s)	Existing Use
North	"C-3 AHOD" General Commercial Airport Hazard Overlay District	Motor Vehicle Sales
South	"I-1 AHOD" General Industrial Airport Hazard Overlay District	Small Business
East	"R-4 AHOD" Single-Family Residential Airport Hazard Overlay District	Single-Family Residences
West	"I-2 AHOD" Heavy Industrial Airport Hazard Overlay District	Self-Service Storage

**Comprehensive Plan Consistency/Neighborhood Association**

The property is within the boundaries of the North Central Neighborhoods Community Plan, and designated as community commercial land use. The subject property is not located within the boundaries of a registered neighborhood association.

**Criteria for Review**

Pursuant to Section 28-246 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 proposed signage would allow the HEB Grocery to be more easily identified by passing motorists. Because of the existing self-storage facility between the grocery store and the nearby arterial, San Pedro, the store does not have the visibility it used to have. In addition, the applicant hopes to update the existing sign to be consistent with their new branding.**

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 applicant’s requested signage would serve only to market the business to the community. The variance is requested because of existing neighboring buildings that limit the visual field to the store. Allowing the applicant’s sign to be visible to motorists on the nearby arterial street would not constitute a special privilege not enjoyed by other commercial properties in the community.**

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

**It is unlikely that neighboring property owners will be negatively impacted by the proposed signage, since it has been in this location for 25 years. The applicant is requesting the variances such that the existing sign can be updated to represent the Company's current logo.**

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

**The legislative purposes of the adopted sign regulations are to provide minimum standards to protect the general public by regulating the design, construction, location, use and maintenance of out-door advertising signs. The owner is proposing the variances to make the property more visible, and to maintain a longstanding, active commercial use of the property.**

### **Alternative to Applicant's Request**

The applicant must demolish the sign tower and build a 24 foot new sign, as allowed on commercial collectors.

### **Staff Recommendation**

Staff recommends **approval of the 12 foot sign variance requested in A-15-054** based on the following findings of fact:

1. That the variance allows the owner to update the existing sign with their new logo.