



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-2405

**Type:** Zoning Case

**In control:** Board of Adjustment

**On agenda:** 3/19/2018

**Title:** A-18-053: A request by Jennifer Wolf for for 1) a 15 foot variance from the 45 foot maximum sign height for a secondary sign to allow a sign to be 60 feet tall and 2) 162.5 square foot variance from the 487.5 square foot maximum area for a secondary sign to allow the same sign to be 650 square feet and 3) a 19'11" variance from the 20 foot maximum sign height to allow a sign to be 39 feet and eleven inches tall and 4) 124.9 square foot variance from the 125 square foot maximum to allow a sign to be 249.9 square feet in area and 5) an 80 foot variance from the 150 foot distance requirement between two proposed signs along Loop 1604 Frontage Road to allow two signs to be 70 feet apart, generally located southwest of the intersection of Loop 1604 and Potranco Road. Staff recommends Approval. (Council District 4)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A-18-053 Attachments

Date	Ver.	Action By	Action	Result
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**Case Number:** A-18-053

**Applicant:** Jennifer Wolf

**Owner:** Jennifer Wolf

**Council District:** 4

**Location:** Generally located southwest of the intersection of Loop 1604 and Potranco Road. Known as Parcel 418973

**Legal Description:** Lot P-23, P-9, P-9B, P-9C, P-21, P-22, P-23 & CB 4361 P-9,

**Description:** P-9B, & P-20G ABS, NCB 34361

**Zoning:** "C-3 AHOD" General Commercial Airport Hazard Overlay District

**Case Manager:** Debora Gonzalez, Senior Planner

### Request

A request for 1) a 15 foot variance from the 45 foot maximum sign height for a secondary sign to allow a sign to be 60 feet tall and 2) 162.5 square foot variance from the 487.5 square foot maximum area for a secondary sign to allow the same sign to be 650 square feet and 3) a 19'11" variance from the 20 foot maximum sign height to allow a sign to be 39 feet and eleven inches tall square foot and 4) 124.9 square foot variance from the 125 square foot maximum to allow a sign to be 249.9 square feet in area, all as described in Section 28-45, and 5) an 80 foot variance from the 150 foot distance requirement, as described in Section 28-47 (c)(1), between two proposed signs along Loop 1604 Frontage Road to allow two signs to be 70 feet apart.

### **Executive Summary**

This property is located at the intersection of Loop 1604 and Potranco Road, near the southwestern edge of the San Antonio City Limits. The subject property is currently under development for a retail center. The applicant is seeking multiple variances to allow signs to be larger in size and taller than what is allowed by Chapter 28: signs, Section 45. Also, the applicant is seeking to allow two signs to be closer than allowed by Section (c)(1). The sign code includes provisions to limit the size of secondary signage. The applicant is proposing a sign package that features fewer signs than would otherwise be allowed, however, they are also seeking to maximize the size of the signs to the fullest extent.

### **Subject Property Zoning/Land Use**

<b>Existing Zoning</b>	<b>Existing Use</b>
"C-3 AHOD" General Commercial Airport Hazard Overlay District	Vacant Lot

### **Surrounding Zoning/Land Use**

<b>Orientation</b>	<b>Existing Zoning District(s)</b>	<b>Existing Use</b>
North	"C-3 AHOD" General Commercial Airport Hazard Overlay District	Commercial Center
South	"OCL" Outside City Limits	Vacant
East	"C-3 AHOD" General Commercial Airport Hazard Overlay District	Vacant, Retail, Restaurant
West	"OCL" Outside City Limits	Vacant

### **Comprehensive Plan Consistency/Neighborhood Association**

The property is within the West/Southwest Sector Plan and designated as Regional Center in the future land use component of the plan. The subject property is not located within the boundaries of a registered 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 applicant is seeking multiple sign variances to develop a vacant lot for retail purposes. The configuration of lots would otherwise permit a total of 29 separate sign. Rather, the applicant is seeking variances from the spacing, height, and square footage limitations to allow for four large multitenant signs. While staff supports the applicants request for larger signage, we cannot support a request of that magnitude.

Staff finds that approving a lesser variance to allow for some additional advertising space is appropriate.

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.*

Businesses along major arterials around the city are afforded reasonable signage opportunities. Staff's recommendation will allow the applicant to place the requested number of sign son the property with a more minimal increase to the permitted height and square footage.

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

Immediate properties to the East and South of the surrounding proposed development are vacant. As there are no adjacent developments to be adversely affected, staff finds that the alternative recommendation will have no negative consequences for their neighbors.

*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 outdoor advertising signs. They are also created to ensure that businesses have the ability to reasonably market their business to the public. As the applicant is proposing a sign package with fewer large signs, rather than many smaller signs, staff finds that some relief is in order. However, the intent of the code to reduce the size of secondary signage should be observed.

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

The owner would not be able to construct the proposed signs as designed.

### **Staff Recommendation**

Staff recommends **DENIAL with an Alternate Recommendation** of the variances in **A-18-053**, based on the following findings of fact:

1. That the first sign variance request does not honor the spirit of the Code to reduce secondary signage, and should be limited to a 50 foot tall sign, and;
2. That the second variance request also does not honor the spirit of the ordinance to reduce the size of secondary signage and should be limited to no more than 550 square feet, and;
3. That the third variance request also does not honor the spirit of the ordinance to reduce the size of secondary signage and should be limited to no more than 32 feet in height, and;
4. The fourth variance request is not contrary to the public interest in that it allows future tenants reasonable signage opportunities without detracting from the character of the district, and;
5. The fifth variance request is unlikely to detract from the character of the corridor, especially considering that there will be a total of four sign versus the 29 total signs otherwise allowed.