



City of San Antonio

Agenda Memorandum

File Number:16-2220

Agenda Item Number: 2.

Agenda Date: 3/21/2016

In Control: Board of Adjustment

Case Number: A-16-053
Applicant: Sean Nooner
Owner: STN Ventures, LLC
Council District: 2
Location: 3835 E. Loop 1604 N.
Legal Description: Lot 1, Block 1, NCB 16568
Zoning: "C-3 AHOD" General Commercial Airport Hazard Overlay District
Case Manager: Logan Sparrow, Senior Planner

Request

A request for a 107 square foot variance from the 375 square foot maximum expressway sign area to allow an expressway sign with 482 square feet of advertising area.

Executive Summary

The subject property is located at the southeast corner of the Interstate 10 and Loop 1604 intersection, near the western-most edge of the San Antonio city limits. The applicant is seeking a variance to allow for an enlargement of an existing expressway sign to include an eight foot tall by 24 foot wide gasoline and diesel price cabinet. The proposed sign design is not unlike those seen at large filling stations. Very little exists in the area in the way of development and this sign expansion is unlikely to detract from the essential character of this community.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"C-3 AHOD" General Commercial Airport Hazard Overlay District	Gas Station and Food Service Establishment

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"I-1 AHOD" General Industrial Airport Hazard Overlay District	Vacant
South	"C-3 AHOD" General Commercial Airport Hazard Overlay District	Vacant

East	"I-1 AHOD" General Industrial Airport Hazard Overlay District	Vacant
West	UZROW	ROW, IH-10, Loop 1604

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the I-10 East Corridor Plan and currently designated as Regional Commercial in the future land use component of the plan. A small portion, near the southernmost portion of the property is designated for future parks and open space land uses. The subject property is not within 200 feet of any 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*

Currently, this filling station has no way to effectively advertise the price of gasoline and diesel to passersby traveling on I-10 or Loop 1604. The ability to market the price of these products is essential to the company's success. Lacking such signage will have negative consequences for 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.*

Most filling stations benefit from large signage to indicate the price of gasoline and diesel. Granting this variance would not grant a special privilege not enjoyed by similarly-situated businesses.

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

All properties surrounding this proposed development are vacant. As there are no adjacent developments to be adversely affected, staff finds that this variance request 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. The proposed sign is not significantly larger than those other, similarly situated businesses enjoy. The applicant does have the option of providing a separate sign on the property, 150' away from the existing sign to advertise the price of gasoline and diesel. Staff finds that permitting one sign to be larger is the preferred option to having another expressway sign on the property.

Alternative to Applicant's Request

The applicant could install a new, separate sign to advertise the prices of gasoline and diesel.

Staff Recommendation

Staff recommends **APPROVAL of variance request in A-16-053** based on the following findings of fact:

1. The applicant would not benefit from a right enjoyed by similarly situated businesses. 2. This option is preferred to a second expressway sign.