



City of San Antonio

Agenda Memorandum

File Number:16-4109

Agenda Item Number: 3.

Agenda Date: 7/25/2016

In Control: Board of Adjustment

Case Number: A-16-121
Applicant: Health Texas
Owner: Mossrock Real Estate Company, LLC
Council District: 1
Location: 2961 Mossrock Drive
Legal: Lot 34, Block 6, NCB 13266
Description:
Zoning: "O-2 AHOD" High Rise Office Airport Hazard Overlay District
Case Manager: Logan Sparrow, Senior Planner

Request

A request for a 120 square foot variance from the 375 square foot maximum sign area, as described in Section 28-239, to allow for a sign with 495 square feet in area.

Executive Summary

The subject property is located at 2961 Mossrock Drive, approximately 57 feet west of Panda Drive. The applicant is seeking permission to add to their existing signage. The applicant, Health Texas, wishes to add a banner to their existing pole sign to state "San Antonio Express News - Top Workplaces". The applicant could place the proposed signage on the wall of the building, but they site existing landscaping, including several mature trees which block the view, as making that technique less effective.

In all, the existing sign is at the maximum advertising area, being 375 square feet. The proposed ten by twelve foot banner would add an additional 120 square feet of advertising area. The applicant is seeking a variance to allow for 495 square feet of advertising space.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"O-2 AHOD" High Rise Office Airport Hazard Overlay District	Professional Office

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	“R-5 AHOD” Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling
South	UZROW	Loop 410
East	“O-2 AHOD” High Rise Office Airport Hazard Overlay District	Professional Office
West	“R-5 AHOD” Residential Single-Family Airport Hazard Overlay District	Single-Family Dwelling

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the North Sector Plan and currently designated as Suburban Tier in the future land use component of the plan. The subject property is not located within the boundaries of any registered neighborhood association.

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*

While the property owner has a way to advertise using a wall sign, existing vegetation blocks clear view of a wall sign. Allowing the property owner to add the 120 square foot banner to the existing pole sign facilitates an alternative method for the business to advertise as an awarded employer.

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 proposed signage is not intended to allow the business to gain an advantage over competing businesses. Rather, the requested variance seeks only to allow the business to inform job seekers of an opportunity. The requested sign location allows the business to accomplish this more effectively.

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

Other businesses on Mossrock Drive do not have wall facades as obstructed by landscaping and trees as the subject property. It is unlikely that the addition of a banner sign will harm the adjacent developments.

- 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 applicant does have the option of providing a separate sign on the property, but ascertain that it is not a viable option.

Alternative to Applicant's Request

The applicant would need to comply with the 375 square foot maximum sign advertising area established by *Chapter 28: Signs and Billboards*.

Staff Recommendation

Staff recommends **APPROVAL of the requested variance in A-16-121** based on the following findings of fact:

1. The subject property, while allowed a wall sign, is seeking this alternative option because the walls are obscured by existing landscaping and trees.