



City of San Antonio

Agenda Memorandum

File Number:17-5696

Agenda Item Number: 1.

Agenda Date: 10/16/2017

In Control: Board of Adjustment

Case Number: A-17-185
Applicant: Kevin Hull
Owner: North Park Lexus
Council District: 1
Location: 611 Lockhill-Selma Road
Legal: Lot 18, Block 3, NCB 11714
Description:
Zoning: "C-3 AHOD" General Commercial Airport Hazard Overlay District
Case Manager: Oscar Aguilera, Planner

Request

A request for 1) an 11 foot variance from the maximum 24 foot sign height, as described in Chapter 28, Section 28-45, to allow an overall sign height of 35 feet and 2) a nine (9) foot variance from the 10 foot setback, as described in Chapter 28, Section 28-47(c)(1)(b), to allow a sign one (1) inch from the property line.

Executive Summary

The applicant is requesting the variance to allow the overall height for a signage to be 35 feet and to keep it in its current location. The maximum allowable height is 24 feet for freestanding signs along an Arterial Type B or Collector and signs shall be set back a minimum of ten feet from the street right-of way if the height of the sign exceeds twenty five feet. The variance is being requested because the applicant is replacing the existing 37 feet tall sign. When completed, the new sign will be two feet shorter than it is today and remain in the same location. The sign meets the required spacing between it and other signs on the property.

Existing Zoning	Existing Use
"C-3 AHOD" General Commercial Airport Hazard Overlay District	Auto Dealer

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
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North	"MF-33 AHOD" Multi-Family Airport Hazard Overlay District	Apartments
South	"C-3 AHOD" General Commercial Airport Hazard Overlay District	Office
East	"C-2 AHOD" Commercial Airport Hazard Overlay District, "C-3 AHOD" General Commercial Airport Hazard Overlay District	Auto Dealer
West	"C-2 AHOD" Commercial Airport Hazard Overlay District	Auto Dealer, Office

Comprehensive Plan Consistency/Neighborhood Association

The property is within the boundaries of the North Sector Plan and it is currently designated as Regional Center in the future land use component of the plan. The subject property is located within the boundaries of The Greater Harmony 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 sign is proposed to decrease the height of the current signage from 37 feet to 35 feet and the new sign height will better promote the business and increase visibility. The sign is designed to be visible despite tall trees and overhanging electrical wires along Lockhill-Selma Road.

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 property owner is replacing an existing 37 foot tall sign with a 35 foot tall sign. The request is not out of character with the surrounding commercial properties.

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

The ordinance intends to protect the public from over-crowding of signage while providing businesses the opportunity to advertise. The proposed variance will not have an adverse impact on neighboring properties as many of the properties surrounding the subject property are also auto dealers or other commercial properties with similar signage. The additional sign height should not interfere with the apartments (residential properties) as they are located in the opposite side of the property.

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 in that the request will not exceed the maximum 40 foot sign height for the subsequent street classification, Arterial Type A. Since the request falls within range of Commercial Collector and Arterial Type A, the requested height 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. The applicant will be required to provide a visibility as required by chapter 28-41(b)(2).

Alternative to Applicant's Request

The applicant could keep the 37 foot tall sign as it is grandfathered.

Staff Recommendation

Staff recommends **APPROVAL of the requested variance A-17-185** based on the following findings of fact:

1. The applicant is reducing the current signage height from 37 to 35 feet.
2. Granting the variance would allow the dealership to advertise their business in a similar manner that is enjoyed by other adjacent properties.