



# City of San Antonio

## Agenda Memorandum

**File Number:**17-6009

**Agenda Item Number:** 3.

**Agenda Date:** 11/6/2017

**In Control:** Board of Adjustment

Case Number: A-17-178  
Applicant: Carter Thurmond  
Owner: Cavender Holdings LTD  
Council District: 7  
Location: 5730 NW Loop 410  
Legal: Lot 6, Block 1, NCB 15053  
Description:  
Zoning: "I-1 AHOD" General Industrial Airport Hazard Overlay District  
Case Manager: Oscar Aguilera, Planner

### Request

A request for 1) a 15 foot variance from the 150 foot minimum required distance between two signs, as described in Chapter 28, Section 28-47(D), to allow two signs to be 135 feet apart and 2) a 7.5 foot variance from the maximum 37.5 foot tall sign height, as described in Chapter 28, Section 28-47(D), to allow a second sign to be 45 feet tall.

### Executive Summary

The applicant is requesting the variance to allow two signs to be 135 feet apart. The minimum required distance between two sign for freestanding signs along an Expressway is 150 feet. The applicant is seeking a second variance to allow a second sign to be 45 feet tall. The code requires that the secondary sign must be 25 percent smaller in height than the primary sign. The variance is being requested because the applicant is replacing the existing signs.

Existing Zoning	Existing Use
"I-1 AHOD" General Industrial Airport Hazard Overlay District	Auto Dealer

### Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"UZROW"	Loop 410

South	“C-3 AHOD” General Commercial Airport Hazard Overlay District, “I-1 AHOD” General Industrial Airport Hazard Overlay District	Auto Repair
East	“I-1 AHOD” General Industrial Airport Hazard Overlay District	Auto Dealer
West	“C-3 AHOD” General Commercial Airport Hazard Overlay District Overlay District	Auto Dealer

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

The property is within the boundaries of the West Sector Plan and it is currently designated as General Urban Tier in the future land use component of the plan. The subject property is located within the boundaries of the Thunderbird 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 proposed signs will replace the current signage and, when completed, the new signs will be identical in height and size to the existing signs. The new signage will comply with Toyota’s new requirements in order to better promote the business and increase visibility.**

- 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 the existing signs. 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 height and size will be similar to the existing signage.**

*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 50 foot sign height for the street classification, Expressway. The requested minimum distance and 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.**

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

The applicant could keep the existing signs as they are grandfathered.

### **Staff Recommendation**

Staff recommends **APPROVAL of the requested variance A-17-178** based on the following findings of fact:

1. The applicant is replacing the current signage with new signs that have similar height and size.
2. Granting the variance would allow the dealership to advertise their business in a similar manner that is enjoyed by other adjacent properties.