



City of San Antonio

Agenda Memorandum

File Number:19-5368

Agenda Item Number: 8.

Agenda Date: 7/15/2019

In Control: Board of Adjustment

Case Number: BOA-19-10300073
Applicant: Jennifer Wolfe
Owner: Jennifer Wolfe
Council District: 4
Location: Located in the 11000 block of Potranco Road
Legal: Lot P-23, NCB 34361
Description:
Zoning: "C-3 AHOD" General Commercial Airport Hazard Overlay District
Case Manager: Debora Gonzalez, Senior Planner

Request

A request for 1) a 38.75 square foot variance from the 650 square foot area, as described in Section 28-45, for a multi-tenant sign to be 688.75 square feet in area and 2) a 38.53 square foot variance from the 249.75 square foot area, as described in Section 28-45, for a multi-tenant sign to be 288.28 square feet in area.

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 a retail center. On March 19, 2018 the Board previously approved multiple sign variances to allow signs to be larger in size and taller than what is allowed by Chapter 28: Signs, Section 45. The subject property has 5 new multi-tenant signs. The applicant is seeking two sign variances to further increase square footage in area for two multi-tenant signs. The first one is to increase the primary multi-tenant sign to be 688.75 square feet in area. The second is to increase the multi-tenant sign to be 288.28 square feet in area from the 249.75 square foot area that was approved by the Board on March 19, 2018.

Code Enforcement History

No Code Enforcement history exists on the property.

Permit History

The property owner is seeking variances to allow for permit to be issued.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"C-3 AHOD" General Commercial Airport Hazard Overlay District	Retail Center

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
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.

Street Classification

West Loop 1604 is classified as an Interstate and Empresario Drive is classified as Collector Street.

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 two sign variances to further increase square footage in area for retail purposes. The applicant has maximized the height and square footage in area of two signs along Loop 1604 and the applicant may still increase the square footage of the additional two signs along Loop 1604, and still be within the code allowances for square footage. The BOA previously granted a variance for a 124.9 square foot at 32 feet tall sign for sign (C) located in a collector street near single-family dwellings. Staff finds that additional advertising space for signs (A) and (C) is inappropriate due to both signs being already maximized.

- 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 subject property has already been granted multiple sign variances to allow additional feet in height and square footage in area. Allowing more sign space would be a special privilege not legally enjoyed by others.

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 property is not located directly at the intersection, removing it from the sign clutter on the corner. Nevertheless, it has been given approvals for height and square footage.

C. Granting the variance will not substantially conflict with the stated purposes of this article.

The requested variance does conflict with the stated purpose of this chapter as the property was already granted a ten foot variance on March 19, 2018.

Alternative to Applicant's Request

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

Staff Recommendation

Staff recommends **DENIAL** of the variances in **BOA-19-10300073**, based on the following findings of fact:

1. The Board of Adjustment already considered the property-related challenges for signage and approved sign (C) a 32 feet tall sign to be 249.9 square feet in area on March 19, 2018.
2. The applicant has the option to increase height and square footage to sign E and D without a variance approval for additional advertising space.