



City of San Antonio

Agenda Memorandum

File Number:21-5377

Agenda Item Number: 4.

Agenda Date: 9/20/2021

In Control: Board of Adjustment

Case Number:	BOA-21-10300106
Applicant:	SDI Wender Plaza, LLC
Owner:	SDI Wender Plaza, LLC
Council District:	6
Location:	1015 North Hunt Lane
Legal Description:	Lot 12, Block 31, NCB 17643
Zoning:	“C-3 GC-2 MLOD-2 MLR-2 AHOD” General Commercial TX 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District
Case Manager:	Kayla Leal, Senior Planner

Request

A request for variances from the Highway 151 Gateway Corridor design standards including: 1) a 264 square foot sign variance from the 300 square foot maximum, as described in Section 35-339.01, to allow a multi-tenant sign facing State Highway 151 to be 564 square feet and 2) a 174 square foot sign variance from the 200 square foot maximum, as described in Section 35-339.01, to allow a multi-tenant sign facing North Hunt Lane to be 374 square feet.

Executive Summary

The subject property is located at the corner of North Hunt Land and Texas Highway 151. The property is located within the State Highway 151 Corridor Overlay District, which restricts the height and square footage of signage. The height of these signs are not in violation of the Sign Code, but the square footage of the multi-tenant signs are exceeding the maximum allowance. The maximum square footage for signs facing St Hwy 151 is 300 square feet, and the applicant is proposing 564 square feet. The maximum square footage for signs facing North Hunt Lane is 200 square feet, and the applicant is proposing 374 square feet.

DSD Sign Staff has reviewed the request and do not have any objections to the request since the height standards will still be met.

Code Enforcement History

No relevant Code Enforcement investigations or citations were found for the subject property.

Permit History

Another sign permit was pulled for the subject property.

Sign permits for the proposed signs are pending the outcome of the Board of Adjustment Hearing.

Zoning History

The subject property was annexed into San Antonio City Limits on March 14, 1988, established by Ordinance 66482, and was zoned Temporary "R-1" One-Family Residence District. The zoning changed from Temporary "R-1" to "B-3" Business District, established by Ordinance 68484, dated December 15, 1988. Upon adoption of the 2001 Unified Development Code, the zoning converted from "B-3" to the current "C-3" General Commercial District, established by Ordinance 93881, dated May 3, 2001.

Subject Property Zoning/Land Use

Existing Zoning	Existing Use
"C-3 GC-2 MLOD-2 MLR-2 AHOD" General Commercial TX 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Single-Family Residence

Surrounding Zoning/Land Use

Orientation	Existing Zoning District(s)	Existing Use
North	"C-2 GC-2 MLOD-2 MLR-2 AHOD" General Commercial TX 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Texas Highway 151 and Multi-Family Residential
South	"C-3 GC-2 MLOD-2 MLR-2 AHOD" General Commercial TX 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "R- 5 GC-2 MLOD-2 MLR-2 AHOD" Residential Single-Family TX 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Vacant Commercial and Single Family Residential
East	"C-3 GC-2 MLOD-2 MLR-2 AHOD" General Commercial TX 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Vacant Commercial
West	"C-3 GC-2 MLOD-2 MLR-2 AHOD" General Commercial TX 151 Gateway Corridor Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District	Vacant Commercial

Comprehensive Plan Consistency/Neighborhood Association

The subject property is in the West/Southwest Sector Plan and is designated “General Urban Tier” in the future land use component of the plan. The subject property is not located within a registered Neighborhood Association.

Street Classification

State Highway 151 is classified as Interstate Highway.

North Hunt Lane is classified as a Secondary Arterial Type A.

Criteria for Review - Variances

According to Section 35-482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. *The variance is not contrary to the public interest.*

The public interest is defined as the general health, safety, and welfare of the public. The applicant is requesting the variance in order exceed the square footage for signage which is limited by the Texas 151 Gateway Corridor. The height limit is still being met, so the excess in square footage does not appear to be contrary to the public interest.

2. *Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.*

A literal enforcement of the ordinance would result in the applicant reducing the signage for a large commercial development. The visual impact of the proposed signage does not appear to conflict with the surrounding area.

3. *By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.*

The spirit of the ordinance is defined as the intent of the code, rather than the exact letter of the law. The proposed signage does not conflict with Chapter 28 Sign Code, but rather is required due to the Gateway Corridor. DSD Site Plan Review Staff has reviewed the request, and does not have objections due to the compliance with the height restrictions.

4. *The variance will not authorize the operation of a use other than those uses specifically authorized in the zoning district in which the variance is located.*

No uses other than those allowed within the district will be allowed with this variance.

5. *Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.*

Staff finds the request for the variances will not substantially injure adjacent properties or alter the essential character of the district. All other sign standards are being met on the property.

6. *The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and*

are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

Staff finds the plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property and are not merely financial.

Alternative to Applicant's Request

The alternative to the applicant's request is to adhere to Section 35-339.01.

Staff Recommendation - Sign Variance

Staff recommends **Approval** in **BOA-21-10300106** based on the following findings of fact:

1. The proposed signs comply with the height and spacing restrictions in place by the TX 151 Gateway Corridor; and
2. The proposed square footage of the sign facing TX Hwy 151 is 564 square feet; and
3. The proposed square footage of the sign facing North Hunt Lane is 374 square feet; and
4. DSD Plan Review Staff does not find any adverse effects.